

SPECIAL MEETING – JUNE 29, 1999

BE IT REMEMBERED, that on this 29th 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 29, 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 Regular Agenda.

**NOTICE TO THE PUBLIC
CONSENT AGENDA**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a **UNANIMOUS** vote to approve all items under the Consent Agenda, with exception to the following:
Line item #2/B

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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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**
2. **Line item transfers: (SEE EXHIBIT A)**
 - A. **Justice of the Peace Pct. #4 Pl. #1**
 - B. **County Court at law #4 – Correction to be made**
 - C. **Pct. #1 - Administration**
 - D. **Pct. #1 - Road & Bridge**
 - E. **Pct. #1 - Park**
 - F. **Health Department - TB Control**
 - G. **Health Department - Adm. Program Income**
 - H. **Health Department - Sanitation**
 - I. **Health Department - Immunization Program Income**
 - J. **WIC**
 - K. **Juvenile Probation Department - Detention Center**
 - L. **Juvenile Probation Department - Probation Department**
 - M. **Public Defense**
 - N. **Planning Department**
 - O. **Extension Service**
 - P. **Pct. #4 - Landfill**
3. **Urban County: (SEE EXHIBIT B)**
 - A. **HOME/Homeowner Occupied Housing Rehab Contract and Application Cancellation (1 Family)**
4. **Right of Way: (SEE EXHIBIT C)**
 - A. **Pct. #1:**
 - **Southwestern Bell Telephone**
 - **Vastar Resources, Inc.**
 - **North Alamo Water Supply Corporation**
 - B. **Pct. #2:**

- **Vastar Resources, Inc. - Seismograph Survey**
- **North Alamo Water Supply Corporation**

C. Pct. #3:

- **Coastal Oil and Gas USA, L.P.**
- **City of Palmview**
- **Southern Union Gas Company**

D. Pct. #4:

- **North Alamo Water Supply Corporation**
- **North Alamo Water Supply Corporation**
- **Duke Energy Power Plant**

**COUNTY OF HIDALGO
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1. Roll Call

All members of the Court were counted present.

2. Pledge of Allegiance

3. Prayer

At this time Judge Pulido called on Armando Barrera, Jr., RTA, the Hidalgo County Tax Assessor-Collector, to lead the Court and Audience in reciting the Pledge of Allegiance and Invocation.

4. Open Forum

No presentations were made under the Open Forum.

At this time the Court discussed the Consent Agenda.

5. Request for Audience: (SEE EXHIBIT D)

- **Mario Garza - Dedication of Property**
- **Rick Sramek - Texas Wildlife Damage Management Service**

6. Tax Assessor/Collector: (SEE EXHIBIT E)

A. Tax Refund:

- 1. P.S. Brown Estate, LI300-00-000-0121-02**

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

7. County Clerk: (SEE EXHIBIT F)

A. Approval of Comp. Time

Christina Walker, Administrative Assistant of J. D. Salinas, III, County Clerk, spoke on his behalf regarding the approval of Comp Time. Judge Pulido suggested that the subject be worked out through the County Clerk's Office, as seen fit.

8. Computer Department: (SEE EXHIBIT G)

A. Discussion and approval of line item transfer in the amount of \$ 16,250.00 to pay for Ardent Database Management Annual Maintenance Fee

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

9. J.P. Pct. #4 Pl. #1 (Charlie Espinoza) (SEE EXHIBIT H)

A. Approval of Budget Amendment and Reimbursement - 1998 Telephone bills

NO ACTION was taken on this item.

10. Risk Management: (SEE EXHIBIT I)

A. Announcement of safe areas for use of fireworks

NO ACTION was taken on this item.

The Court agreed that, after obtaining approval from the Fire Department, designation of use of the Landfill as a safe area to light fireworks would be approved.

11. County Judge: (SEE EXHIBIT J)

A. Discussion and approval to appoint members to the Texas Veterans Land Board County Committee

Members who are already nominated are: County Judge Jose Eloy Pulido, Chris Escamilla from the Veterans' Department, County Tax Assessor-Collector Armando Barrera, and Ciro Trevino.

Commissioner Handy nominated Paul Villarreal of Precinct #1, who works in the City of Edinburg.

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

B. Approval to amend 1999 holiday schedule to reflect change in 4th of July Holiday from July 2, 1999 to July 5, 1999

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

12. County Auditor: (SEE EXHIBIT K)

A. Approval of Budget Amendment - Office Equipment

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

13. Pct. #2 - Parks: (SEE EXHIBIT L)

A. Authorization and approval to create two (2) additional temporary part-time positions consisting of a Lifeguard and Lifeguard Attendant and set salary

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

B. Approval of budget Line Item Transfer

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

14. Pct. #4: (SEE EXHIBIT M)

A. Request Authorization to Accept Cost-Share Funds from Muniz Subdivision & Reina Del Sol Subdivision

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

15. Constable Pct. #5: (SEE EXHIBIT N)

- A. Approval of Auto Allowance for Deputy Constable Jesus Mariscal**
- B. Set Allowance Rate**

NO ACTION was taken on these items.

16. Office of Employment and Training: (SEE EXHIBIT O)

- A. Discussion and Possible Action to approve the Formal Plan Amendment accepting \$ 25,640.00 in Re-allotment of PY '98 Title III Funds**

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

17. Planning Department: (SEE EXHIBIT P)

- A. Preliminary Approval with Variance Request:**
 - 1. San Carlos Gardens Subdivision - Pct. #4**

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

18. Urban County: (SEE EXHIBIT Q)

- A. Approval of a Construction Contract for Street Improvements with Sascon, Inc. - City of Weslaco - Urban County Year 8 (FY 1995)**

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

- B. Approval of an Amendment to the Engineering Contract with the Alton Street Improvement Project City of Alton - UPC Year 10, (1997)**

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

- C. Approval of a professional Services Contract with Melden & Hunt Inc. - City of Hidalgo - Water & Sewer Improvements Urban County Year 10 (FY 1997)**

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

- D. Approval of Budget and Program Amendments - City of Hidalgo Year 10 (1997)**

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

- E. Approval of a budget and program amendment for the City of San Juan - Urban County Program Year 11 (1998)**

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

- F. Approval of a Construction contract for Street Improvements - Mission Paving Co., Inc. - Hidalgo County Precinct 4 - Urban County Year 11 (FY 1998)**

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

- G. Award of a Contract to Sascon, Inc. for A-B Alley Project - City of Alamo - Improvements - Urban County Years 9 and 10 (1996 & 1997)**

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

H. Award of a Contract to S & G Paving for Cottonwood Avenue Project - City of La Villa - Flood Drain Improvements - Urban County year 9 and 11 (1996 & 1998)

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

I. Cancel monies available on CHDO contract with Habitat for Humanity-Exodus under the 1996 H.O.M.E. Program

NO ACTION was taken on this item.

19. Purchasing Department: (SEE EXHIBIT R)

A. HIDALGO COUNTY -

- 1. Report of meeting with Hidalgo County's Health Benefits Committee.**
- 2. Discussion and action on acceptance and approval of rankings as graded, evaluated and presented by health benefits consultant, Mr. Jerald Edwards.**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a vote to approve and accept this item.

AYE: Commissioners Handy, Palacios, Garza, and Judge Pulido

NAY: Commissioner Rosel

3. Recommending award of Request for Proposals for: Hidalgo County's Group Health Insurance.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a vote to approve and accept this item.

AYE: Commissioners Handy, Palacios, Garza, and Judge Pulido

NAY: Commissioner Rosel

4. Approval of contract for Group Health Insurance.

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a vote to approve and accept this item.

AYE: Commissioners Handy, Palacios, Garza, and Judge Pulido

NAY: Commissioner Rosel

5. Requesting authority to advertise & approval of specifications as attached hereto for "Pit-Run Caliche."

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

6. Recommending bid award for "Type D Hot Mix-Gravel" to low bidder.

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

7. Requesting approval of contract for "Type D Hot Mix-Gravel" to low bidder.

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

8. **Discussion and action on areas necessitating Court's direction on requirements and specifications for Alternates I, II and III:**
- a.) **400-bed Renovation-Single cells, maximum or medium security, etc.;**
 - b.) **Renovation of Sheriff's Department Offices; and**
 - c.) **Infrastructure for 400-bed Expansion and new Sheriff's Department Offices.**

NO ACTION was taken on this item.

9. **Discussion and action on appointment of Sheriff's Department designee in reviewing and completing requirements and specifications before final approval of RFP package by Commissioners' Court.**

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

10. **Requesting authority to surplus the land acquired adjacent to the present jail site for the purpose of disposition.**

On motion of Commissioner Garza, seconded by Judge Pulido, the Court made a vote to approve this item.

AYE: Commissioners Garza, Handy, and Judge Pulido
NAY: Commissioners Palacios and Rosel

- B. HIDALGO COUNTY PRECINCT NO. 3 & 4 - Requesting approval of an Interlocal Agreement with the City of Edinburg for "Landfill Disposal Services" for Precincts No. 1 and/or No. 4.**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval for Precincts # 1, 3, and 4.

C. HIDALGO COUNTY PRECINCT NO. 4 -

1. **Requesting approval to reject all bids for: Hidalgo county Precinct No. 4 - "Hauling Services Of All Road Materials (Excluding Hot Mix)" - Due to Modification of Specifications by Precinct No. 4.**

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

2. **Requesting authority to Re-Advertise for: Hidalgo County Precinct No. 4 - "Hauling Services Of All Road Materials (Excluding Hot Mix)."**

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

3. **Requesting approval to exercise the sixty (60) day grace period under current contract with Roy's Hauling Service for "Hauling Of All Road Materials (Excluding Hot Mix) Services" so as to not have a lapse in service and allow the bid process to be completed.**

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

D. HIDALGO COUNTY HEALTH DEPARTMENT -

- 1. Requesting exemption from competitive bidding requirements Professional Service for Pediatrician with Dr. Felix Koo.**
- 2. Requesting approval of Professional Service Contract with Dr. Felix Koo.**

NO ACTION was taken on these item/sub-items.

E. HIDALGO COUNTY SHERIFF'S DEPARTMENT -

- 1. Requesting approval to exercise the one (1) year extension option of the service contract (as provided in current contract) for "Installation & Removal Of Radios & Emergency Equipment" with Video Sounds & Light.**

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

- 2. Requesting authority to advertise and approval of specifications as attached hereto for "Sixty-Five (65) Laptop Computers For Mobil Data Application."**

NO ACTION on this item.

- 3. Requesting authority to advertise and approval of specifications as attached hereto for "Air-Conditioning Service & Repairs."**

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

- 4. Requesting authority to advertise and approval and approval of specifications as attached hereto for "Electrical Service & Repairs."**

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

F. HIDALGO COUNTY TAX OFFICE -

- 1. Requesting authority to advertise and approval of specifications as attached hereto for "Credit Card Payment Services-Hidalgo County Tax Office"**

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

- 20. Approval Of A Resolution Designating The Hidalgo County Judge of Hidalgo County as Authorized Representative Of Hidalgo County To Give Notice Of Intent To Reimburse Expenditures With Proceeds Of Tax-Exempt Obligations (SEE EXHIBIT S)**

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

21. 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. Consultation with Attorney**
- D. Deliberation Regarding Sale of Real Property**

Upon the Court's return, Judge Pulido certified that NO ACTION was taken in Executive session.

22. Open Session:

A. Real Estate Acquisition

On motion of Commissioner Handy, seconded by Commissioner Rosel, the Court made a vote of approval. Commissioner Garza stated that he would abstain from acting on this vote, as he has some business interests that involve potential buyers.

AYE: Commissioners Handy, Rosel, Palacios, and Judge Pulido

NAY: None

ABSTAIN: Commissioner Garza

At this time the Court discussed the Drainage District Consent Agenda.

B. Potential Litigation - Claim for Interest on Judgment

NO ACTION was taken on this item.

C. Consultation with Attorney

NO ACTION was taken on this item.

D. Deliberation Regarding Sale of Real Property

On motion of Commissioner Garza, seconded by Commissioner Rosel, the Court made a UNANIMOUS vote of approval, that Valde Guerra proceed as instructed regarding this issue.

E. Litigation – Ruben Arcaute v. Barron Risk Management Services, Inc. Cause #C-1292-97-D

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

At this time the Court returned to line item #22/A to conclude discussion.

23. Closed Session

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

NO ACTION was taken on this item.

24. Open Session

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

NO ACTION was taken on this item.

At this time Commissioner Handy made a

**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 29, 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 Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve all items listed under 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 (SEE EXHIBIT U)**
- 2. Permits: (SEE EXHIBIT U)**
 - Duke Energy Hidalgo L.P.**
 - Duke Energy Hidalgo L.P.**
- 3. Internal Line Item Transfer (SEE EXHIBIT U)**
 - A. Administration**

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

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DRAINAGE DISTRICT

1. Acceptance of Madero Excavation Project Completion
(SEE EXHIBIT W)

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

2. Authorization for Auditor to process payment - River Valley Construction, Inc. \$ 45,657.00 (P.O. 270565)
(SEE EXHIBIT W)

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

3. Discussion and possible action on selection of Advisory Board for Hidalgo County Drainage District #1 Master Plan Expansion Phase II (SEE EXHIBIT W)

NO ACTION was taken on this item.

4. Authorization to enter into agreement with TEEX and OET regarding equipment assignments
(SEE EXHIBIT W)

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

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

**COUNTY OF HIDALGO
JOSE ELOY PULIDO
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 29, 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:

ADDENDUM

- 1. Purchasing Department:**
 - A. Discussion and action on authority and approval to exercise termination clause ("by giving Certus thirty (30) days advance written notice of the date on which County desires the plan to terminate").**

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

At this time the Court continued discussion on line item #19/A-5.

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 29TH 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.*