

REGULAR MEETING – AUGUST 9, 1999

BE IT REMEMBERED, that on this 09th day of August, A.D., 1999, there was begun and held a REGULAR 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 GARZA	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 REGULAR MEETING of the Commissioners' Court will be held on MONDAY, AUGUST 09, 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**

The Court began this day's Meeting with the Regular Consent Agenda.

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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve all items listed under the Consent Agenda.

1. Approval of check register and payment of claims and bills - County Auditor

2. Line item transfers: (SEE EXHIBIT A)

- A. Sheriff Department**
- B. Constable Pct. #1**
- C. J.P. Pct. 2, Pl. 2**
- D. County Auditor**
- E. Library System**
- F. County Court #2**
- G. County Clerk (2)**
- H. Adult Probation – Restitution Center**
- I. Adult Probation – Supervision**
- J. Adult Probation – Community Corrections (2)**
- K. D.P.S. – Highway Patrol**
- L. Pct. #3 – Landfill**
- M. Pct. #1 – Adm.**
- N. Civil Service**
- O. County Judge**
- P. WIC Department (2)**
- Q. Pct. #4 – R & B**
- R. County Judge**
- S. Computer Department**
- T. Buildings & Grounds**

3. Right of Way – Permits: (SEE EXHIBIT B)

- A. Pct. #1 – North Alamo Water Supply:**
 - **Mile 1 ½ W & 10 N**
 - **FM 493 & 20 N**
 - **Engleman & 20 N**

4. Juvenile Probation: (SEE EXHIBIT C)

- A. Ministerial approval to appropriate funds in the amount of \$ 104,115.13**

5. Monthly Fee Report: (SEE EXHIBIT D)

- A. County Clerk \$ 351,719.76 July 1999**
- B. District Clerk \$ 228,181.68 July 1999**

6. Planning Department: (SEE EXHIBIT E)

A. Final Plat Approval:

- **Don Foster Subdivision – Pct. #1**

7. Purchasing Department: (SEE EXHIBIT F)

A. Hidalgo County Judge's Office: Requesting approval of "lease purchase" agreement for copy machine utilizing The State of Texas G.S.C. purchase awarded contract dated February 1, 1998 thru January 31, 2000.

B. Requesting approval of maintenance agreement for fax machine model UF-744 with Copy Graphics effective 8/8/99 to 8/8/00.

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

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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 Monica Badillo to lead the Court and Audience in reciting the Pledge of Allegiance and Invocation.

4. Open Forum

No presentations were made under Open Forum.

5. J.P. Pct. #3, Pl. 2: (SEE EXHIBIT G)

A. Approval of budget amendment - \$ 8,600.00 (rent & utilities)

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

6. Sheriff Department: (SEE EXHIBIT H)

A. Approval of budget amendment - \$ 5,000.00 in Jail Acct. #9-010-423-100.49

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

7. Adult Probation: (SEE EXHIBIT I)

A. Approval of budget amendment - \$ 1,000.00 in Acct. #9-010-423-510 (Obj. 12 & 64)

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

8. Juvenile Probation: (SEE EXHIBIT J)

A. Status Report on Juvenile Boot Camp Construction Project

NO ACTION taken on this item.

9. Drug Abuse Prevention & Rehab – C.A.U.S.E.: (SEE EXHIBIT K)

A. Approval of Agreement with C.A.U.S.E.

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

B. Approval to appropriate funds in the amount of \$ 17,500.00

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

C. Approval of Proclamation to declare the month of August 1999 as “Back to School” Month

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

10. Planning Department: (SEE EXHIBIT L)

A. Preliminary Plat Approval:

- **Cardinal Reef Subdivision – Pct. 4**

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

11. Urban County: (SEE EXHIBIT M)

A. Award of contract to Raul’s Paving – Pct. 3 – Street Improvements – Urban County Year 11 (1998)

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

B. Approval of a Construction Contract between Texas Paving & Utilities and the City of Donna for Water and Sewer Improvements – Urban County Years 10 and 11 (1997 & 1998)

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

12. Office of Employment & Training: (SEE EXHIBIT N)

A. Discussion and possible action to approve the JTPA Title IIC Out-of School Youth Proposals for Award in the amount of \$ 1,131,604.22

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

B. Discussion and possible action to approve the JTPA Title IIC In-School Youth Proposals for Award in the amount of \$ 1,706,552.52

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

C. Discussion and possible action to approve the JTPA Title IIA (Adult) & Title III (Dislocated Worker) Training Program Proposals for Award in the amount of \$ 197,898.00

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

D. Discussion and possible action to approve one (1) nomination for the Private Industry Council vacancy

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

E. Annual Election of the Private Industry Council Officers

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

F. Discussion and possible action to approve the Office of Employment and Training's Departmental Operational Policies

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

13. Pct. #1: (SEE EXHIBIT O)

A. Approval to appropriate funds from Hidalgo County General Fund to Pct. #1 Sanitation Fund

NO ACTION taken on this item.

B. Approval of Weslaco Sub-Station construction application #4 for payment and authorize County Auditor to make payment to Reyna Construction

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

C. Appropriation of North Washington Road Special Account Funds (9-030-431-226)

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

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

A. Authorization to create two (2) temporary motor grader operator/maintenance positions (one (1) for Paved/unpaved and one (1) for Landfill)

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

B. Set Salaries

NO ACTION taken on this item.

15. County Judge: (SEE EXHIBIT Q)

A. Approval of Interlocal Agreement with City of McAllen, McAllen ISD and the County of Hidalgo

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

B. Discussion and update on Adult Detention Facility

This was a DISCUSSION only item.

C. Approval of budget amendment - \$ 14,000.00

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

16. Court Reporters Fund: (SEE EXHIBIT R)

A. Approval of budget amendment - \$ 35,000.00

NO ACTION taken on this item.

17. Purchasing Department: (SEE EXHIBIT S)

A. HIDALGO COUNTY -

1. **Requesting exemption from competitive bidding requirements for professional services/consulting with Mr. Jerald Edwards for services related to the County's present Property and Casualty Insurance Package including, but not limited to the following:**
 - a.) **Gathering of material and information**
 - b.) **Preparation of RFP**
 - c.) **Sending out of RFP**
 - d.) **Receiving, analyzing, evaluating, and grading of proposals**
 - e.) **Presentation of rankings and recommendation for award to Court**

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

2. **Requesting approval of a professional consulting services contract with Edwards Risk Management, Inc.**

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

B. HIDALGO COUNTY PRECINCT NO. 3 -

1. **Requesting exemption from competitive bidding requirements for professional services/engineering services for the Peñitas Landfill Project including, but not limited to, the following:**
 - a.) **Construction assistance for a new landfill cell ...**
 - b.) **Quarterly methane gas monitoring ...**
 - c.) **A per modification for additional tire storage ...**
 - d.) **Landfill operating guidance**
 - e.) **Coordination with TNRCC Region 15 and Enforcement regarding the 4-26-99 Notice of Enforcement ...**

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

2. **Requesting approval of a professional engineering services contract with Brian Dudley Engineering**

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

3. **Requesting authority to advertise & approval of specifications as attached hereto for (1) One New Fuel Tank System."**

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

- B. HIDALGO COUNTY PRECINCTS NO. 1 & 4 - Approval of the effective date of 8-17-99 reflecting the best and final offer on rates (subject to approval by Edinburg City Commission meeting scheduled for 8-17-99) on the Inter-local Agreement with the City of Edinburg for Landfill Access for Hidalgo County Precincts 1 & 4 approved by Commissioner's Court on June 29, 1999.**

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

D. HIDALGO COUNTY PRECINCT NO. 4 -

1. **Requesting exemption from competitive bidding requirements for professional services/engineering services with Brian Dudley Engineering services related to the Precinct No. 4 landfill closure project including but not limited to, the following:**
 - a.) To provide a groundwater investigation at MSW-1593A Precinct No. 4 landfill site and to recommend construction actions to resolve any apparent environmental problems and close the landfill to TNRCC requirements, and
 - b.) To provide guidance and engineering, certification of closure work at the MSW-2101 shredder/composting facility in conformance with the approved closure plan and schedule.

NO ACTION taken on these items.

2. **Requesting approval of a professional engineering services contract with Brian Dudley Engineering.**

NO ACTION taken on this item.

D. HIDALGO COUNTY ADULT PROBATION DEPARTMENT - Requesting authority to advertise a Request for Qualifications (RFQ) for audit services related to the Independent Audits for the Hidalgo County Community Supervision and Corrections Department for Fiscal Years 1999 and 2000.

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

E. HIDALGO COUNTY HIDTA TASK FORCE - Hidalgo County HIDTA Task Force requests approval of option to extend lease for one additional year as provided in original contract under the same terms and conditions.

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

G. HIDALGO COUNTY JUVENILE PROBATION -

1. **Recommending award of proposal for “Juvenile Justice Alternative Education Program” to Number One (1) ranked firm.**

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

2. **Recommending approval of contract for “Juvenile Justice Alternative Education Program.”**

NO ACTION taken on this item.

H. HIDALGO COUNTY SHERIFF’S DEPARTMENT -

1. **Requesting acceptance of completed Tuberculosis Clinic Construction Project.**

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

2. **Authorization for Auditor to pay Cornerstone Construction for said clinic project.**

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

I. HIDALGO COUNTY W.I.C. PROGRAM - Requesting authority to advertise & approval of specifications as attached hereto for “Medical Supplies.”

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

On motion of Commissioner Rosel, seconded by Commissioner Palacios,

The Court made a UNANIMOUS vote of approval to go into Executive Session.

18. Closed Session:

Commissioners Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.074 to discuss the following:

A. Personnel:

- 1. Interview and possible selection of applicants for position of Hidalgo County Fire Marshal**
- 2. Personnel Issue - Urban County Program Director**

NO ACTION taken on these items.

19. Open Session:

A. Personnel:

- 1. Interview and possible selection of applicants for position of Hidalgo County Fire Marshal**
- 2. Personnel Issue - Urban County Program Director**

NO ACTION taken on these Items.

20. Closed Session:

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

NO ACTION taken on this item.

21. Open Session:

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

NO ACTION taken on this item.

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

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

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Drainage District #1 Board of Directors will be held on MONDAY, AUGUST 09, 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**

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

On motion of Commissioner Rosel, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Discharge Permit:
A. City of Edinburg – Russel Heights**

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

**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 09th day of August, 1999

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

**By: _____
Deputy Clerk**

*Minutes approved by the Commissioners' Court and the Drainage District #1 Board on the 17 day of
October, 2000.*