

REGULAR MEETING – SEPTEMBER 13, 1999

BE IT REMEMBERED, that on this 13th day of September, 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:

**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, SEPTEMBER 13, 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 by discussing the Drainage District.

**NOTICE TO THE PUBLIC
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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Rosel, seconded by Commissioner Palacios, the Court made a **UNANIMOUS** vote to approval 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 (Jail)**
- B. J.P. Pct. #2, Pl. 2**
- C. Veterans Service**
- D. Constable Pct. #2**
- E. Human Services**
- F. County Treasurer**
- G. Health Department (Clinics)**
- H. Health Department (Sanitation)**
- I. Criminal Auxiliary Court**

3. Planning Department: (SEE EXHIBIT B)

- A. Final Plat Approval:**
 - **Russell Heights Phase I – Pct. 4**
- B. Final Plat Approval with Letter of Credit:**
 - **Hidden Valley Ranch R.V. & Mobile Home Park Phase III – Pct. 3**
 - **Trosper Acres Subdivision – Pct. 3**

4. Monthly Fee Reports - 1999: (SEE EXHIBIT C)

A. J.P. Ray Salazar	\$ 22,308.04	April
B. J.P. Ray Salazar	21,221.61	May
C. J.P. Ray Salazar	No Report	June
D. J.P. Ray Salazar	No Report	July
E. J.P. A. Corpus	15,801.52	July
F. J.P. R. Trevino	40,701.79	July
G. J.P. G. Saenz	12,403.78	July
H. J.P. C. Espinoza	23,978.95	July
I. J.P. E. Jackson	13,850.25	July
J. J.P. D.L. Martinez	21,582.29	July
K. J.P. J.E. Morales	16,312.32	July
L. J.P. J.I. Ochoa	28,792.85	July
M. Sheriff Escalon	64,921.40	July
N. Swimming Pool	1,290.50	July
O. Law Library	1,037.90	July
P. Anzalduas Park	3,468.00	July
Q. Constable Aguirre	1,100.00	July
R. Constable Alaniz	765.00	July

S. Constable Pena	4,280.00	July
T. Constable Cerda	1,179.70	July
U. Constable Bazan	No Activity	July
V. District Clerk	293,236.49	August
W. County Clerk	352,352.96	August

5. **Approval of Minutes – January 11, 1999**

6. **Urban County: (SEE EXHIBIT D)**

- A. **HOME/Homeowner Occupied Housing Rehab Application (6 Families)**
- B. **HOME/Homeowner Occupied Housing Rehab Application (1 Family)**
- C. **HOME/Homeowner Occupied Housing Rehab Application**

7. **Purchasing Department (SEE EXHIBIT E)**

- A. **Hidalgo County 93rd District Court: Requesting approval of a copier service agreement for one (1) FP - 7722 copier with Copy Graphics effective 9/8/99 to 9/7/00.**

8. **Right of Way – Permits: (SEE EXHIBIT F)**

- A. **Pct. #1 – North Alamo Water Supply**
- B. **Pct. #4 – North Alamo Water Supply**
- C. **Pct. #4 – Sharyland Water Supply Corp.**

**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 Commissioners' Court will be held on MONDAY, SEPTEMBER 13, 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

At this time Judge Pulido called on Mr. Garcia to lead the Court and Audience in reciting the Pledge of Allegiance.

3. Prayer

Mr. Garcia lead the Court and Audience in prayer.

4. Open Forum

No presentations were made under the Open Forum.

At this time the Court moved to take action on the Consent Agenda.

5. County Court #1: (SEE EXHIBIT G)

A. Budget Amendment – \$ 2,624.00 – to purchase computer

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

6. Approval of Proclamation for Breast Cancer Awareness (SEE EXHIBIT H)

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

7. County Auditor: (SEE EXHIBIT I)

A. Approval to create a temporary position

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

B. Approval of line item transfer

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

C. Set salary

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

8. Head Start: (SEE EXHIBIT J)

A. Requesting approval of Contract for the Sullivan City Head Start Renovations

NO ACTION taken on this item.

9. D.P.S. – Highway Patrol: (SEE EXHIBIT K)

A. Approval to pay comp-time (two employees)

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

10. Computer Department: (SEE EXHIBIT L)

A. Authorization & approval to activate one (1) cellular phone

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

11. Approval of Resolution supporting the designation of a Texas Historical Site in the City of Penitas – Efrén Garza (SEE EXHIBIT M)

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

12. Urban County: (SEE EXHIBIT N)

A. Approval of the following Subrecipient Agreements under Health Services for U.C.P. Year 12 (1999):

- **Nuestra Clinica del Valle – Hidalgo County Pct. #2 – Contract Amount \$ 25,000.00**
- **Bee Healthy Clinic – Hidalgo County Pct. #1 – Contract Amount \$ 10,000.00**
- **Bee Healthy Clinic – City of Edcouch – Contract Amount \$ 10,000.00**
- **Bee Healthy Clinic – City of Elsa – Contract Amount \$ 10,000.00**

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

B. Approval of the following Subrecipient Agreements under Senior Services for U.C.P. Year 12 (1999):

- **Abram Senior Services – Hidalgo County Pct. #3 – Contract Amount \$ 32,500.00**
- **OIC Foster Grandparent Program – Hidalgo County Pct. #3 – Contract Amount \$ 7,750.00**

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

C. Approval of the following Subrecipient Agreements under Substance Abuse Services for U.C.P. Year 12 (1999):

- **Palmer Drug Abuse Program – Hidalgo County Pct. #2 – Contract Amount \$ 10,000.00**
- **Palmer Drug Abuse Program – Hidalgo County Pct. #3 – Contract Amount \$ 15,625.75**
- **Palmer Drug Abuse Program – Hidalgo County Pct. #3 – Contract Amount \$ 16,000.00**

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

D. Approval of the following Subrecipient Agreements under Abuse and Neglected Children – U.C.P. Year 11 & 12 (1998 & 1999)

- **CASA of Hidalgo County, Inc. – Hidalgo County Pct. #1 - Contract Amount \$ 5,000.00**
- **CASA of Hidalgo County, Inc. – Hidalgo County Pct. #2 - Contract Amount \$ 10,000.00**
- **CASA of Hidalgo County, Inc. – Hidalgo County Pct. #3 - Contract Amount \$ 7,750.00**
- **Dismas Charities Inc. – Hidalgo County Pct. #3 – Contract Amount \$ 16,000.00**
- **Dismas Charities Inc. – Hidalgo County Pct. #3 – Contract Amount \$ 15,625.75**

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

E. Approval of the following Subrecipient Agreements under Youth Services for U.C.P. Year 9 & 12 (1996 & 1999):

- **Alamo Boys & Girls Club – City of Alamo – Contract Amount \$ 60,000.00**
- **Alamo Boys & Girls Club – Hidalgo Pct. #2 – Contract Amount \$ 10,000.00**
- **Alton Boys & Girls Youth Club – Hidalgo County Pct. #3 – Contract Amount \$ 4,500.00**
- **Donna Boys & Girls Club – Hidalgo County Pct. #1 – Contract Amount \$ 5,000.00**
- **Donna Boys & Girls Club – City of Donna – Contract Amount \$ 30,000.00**
- **Pharr Boys & Girls Club – Hidalgo County Pct. #2 – Contract Amount \$ 20,000.00**
- **Edinburg Boys & Girls Club – Hidalgo County Pct. #4 – Contract Amount \$ 18,000.00**

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

F. Approval of Subrecipient Agreement with Mujeres Unidas/Women Together – City of Palmview – Battered & Abused Spouses – U.C.P. Year 12 (1999)

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

G. Approval of 1999 Allocation of Funds – Emergency Shelter Grant (ESG) Program – U.C.P. Year 12 (1999)

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

H. Approval of a Budget Amendment – City of Penitas – U.C.P. Year 12 (1999)

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

I. Approval of a Budget and Program Amendment for the County of Hidalgo Pct. #1 – U.C.P. Year 11 (1998)

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

J. Approval of a Professional Services Contract with Salinas & Associates, Inc. and the City of Elsa – Water & Sewer Improvements – U.C.P. Year 11 (1998)

NO ACTION taken on this item.

K. Approval of 1997 PFI – Water/Sewer Improvements Change Order #1 TDHCA Contract #717095 – Kelly Pharr Subdivision Lot 235

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

13. Right of Way: (SEE EXHIBIT O)

A. Approval to de-obligate funds from the Right of Way budget line item #9-020-431-200.87 in the amount of

\$101,000.00

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

B. Authorization to disburse Hidalgo County's Share for gas line relocation at 10th St. & Dicker Rd. (estimated cost \$ 3,300.00 to Duke Energy)

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

14. Pct. #1: (SEE EXHIBIT P)

A. Approval of Engineering Service invoice for Road & Bridge Street Project to Rodriguez Engineering and authorize Auditor to make payment

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

B. Request approval of Weslaco Sub-Station construction application #5 for payment and authorize Auditor to make payment to Reyna Construction

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

15. Pct. #2: (SEE EXHIBIT Q)

A. Budget amendment to appropriate funds to TXDOT on Dicker Rd. Project in the amount of \$ 37,956.85

NO ACTION taken on this item.

16. County Judge: (SEE EXHIBIT R)

A. Approval of Grant Agreement with the Hidalgo County Historical Museum for the Campaign of Discovery Project

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

B. Approval of Interlocal Agreement between the City of McAllen and the County of Hidalgo (COPC Clinic)

NO ACTION taken on this item.

C. Action on appointment of TEDSI Infrastructure Group as the MPO Technical Representative

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

17. Presentation by William Devine – Nationwide Retirement Solutions regarding a Deferred Compensation Program (SEE EXHIBIT S)

Presentation only.

18. Purchasing Department: (SEE EXHIBIT T)

A. HIDALGO COUNTY -

1. **Requesting approval of proposed, temporary TAIP Assessment Services contract to prevent further backlog of assessments (while selecting vendor for "Treatment Alternative to Incarceration Program" Assessment Services) and to develop a pool of referrals for treatment services provider whose contract was awarded on August 31, 1999.**

NO ACTION taken on this item.

2. **Discussion and action on the Hidalgo County Adult Detention Facility (Jail Project) including but no limited to the following:**

- a.) **Proposed Time Table for RFQ/RFP Selection Process as outlined in Exhibit "A"**

NO ACTION taken on this item.

- b.) **Selection of Grading Committee for both projects.**

NO ACTION taken on this item.

3. **Approval of transfer from General Fund to Capital Project Fund for Courthouse/Administration Building Renovation and appropriate same.**

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

B. HIDALGO COUNTY PRECINCT NO. 1 -

1. **Acceptance of a claim by Hinojosa Engineering, Inc. for Professional engineering services performed, under the direction of the architect, on the Elsa Health Clinic and Justice Center Project.**

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

2. **Authorization for Auditor to process payment for said claim for services performed and rendered in the amount of \$16,000.00**

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

19. Court Reporters Fund: (SEE EXHIBIT U)

- A. **Budget amendment - \$ 10,000.00**

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

20. 389th District Court: (SEE EXHIBIT V)

- A. **Discussion and approval to create 5 new positions**
- B. **Approval to set salaries**
- C. **Discussion and approval of budget amendment for 389th D.C. to operate for the period October 01, 1999 to December 31, 1999**

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

21. 398th District Court: (SEE EXHIBIT V)

- A. **Discussion and approval to create 5 new positions**
- B. **Approval to set salaries**

C. Discussion and approval of budget amendment for 398th D.C. to operate for the period October 01, 1999 to December 31, 1999

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

22. Closed Session: (SEE EXHIBIT W)

On motion of Commissioner Rosel, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to go into Executive Session.

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

A. Employment Contract of the Executive Director of the Office of Employment & Training

Upon return, Judge Pulido certified that NO ACTION was taken during Executive Session.

23. Open Session: (SEE EXHIBIT W)

A. Employment Contract of the Executive Director of the Office of Employment & Training

NO ACTION taken on this item.

24. Closed Session:

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

NO ACTION taken on this item.

25. 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 Palacios, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of adjournment.

**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, SEPTEMBER 13, 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.

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

DRAINAGE DISTRICT

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Approval of Minutes – January 11, 1999**
- 3. Discharge Permit: (SEE EXHIBIT X)**
 - A. City of Edinburg – Calpine Subdivision**

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

At this time the Court proceeded with Roll Call from the Regular Commissioners' Court Agenda.

**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, SEPTEMBER 13, 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. Requesting exemption from competitive bidding requirements for professional services/appraisal services with Leonel Garza Jr. & Associates, services related to Business Highway 83 Lateral (SEE EXHIBIT Y)**

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

- 2. Requesting approval of a professional appraisal service contract with Leonel Garza, Jr. & Associates (SEE EXHIBIT Y)**

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

- 3. Requesting exemption from competitive bidding requirements for professional services/engineering services with Sigler Winston Greenwood & Associates, Inc. services related to control structure for Business 83 Lateral (SEE EXHIBIT Y)**

NO ACTION taken on this item.

- 4. Requesting approval of a professional engineering service contract with Sigler Winston Greenwood & Associates (SEE EXHIBIT Y)**

NO ACTION taken on this item.

- 5. Purchasing Department: (SEE EXHIBIT Z)**

A. HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 -

- 1. Recommending award of bid to low bidder - for: Hidalgo County Drainage District No. 1 for City of Mercedes - "Drainage Improvements" - (Chapman Road Drain Ditch Crossing and Dawson Road Drain Ditch Crossing).**

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

- 2. Requesting approval of contract for: Hidalgo County Drainage District No. 1 for City of Mercedes - "Drainage Improvements" - (Chapman Road Drain Ditch Crossing and Dawson Road Drain Ditch Crossing).**

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

At this time the Court discussed the Drainage District 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 13th day of September, 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 24 day of
October, 2000.*