

REGULAR MEETING – NOVEMBER 8, 1999

BE IT REMEMBERED, that on this 08th day of November, 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, NOVEMBER 08, 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 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 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. Human Services**
 - B. Pct. #1 – Paved/unpaved**
 - C. Pct. #1 – Adm.**
 - D. Pct. #1 - Sanitation**
 - E. Pct. #1 - Park**
 - F. Law Library**
 - G. Health Department – Adm.**
 - H. Health Department – Mobile Clinic**
 - I. J.P. Pct. #2, Pl. 2**
 - J. 139th District Court**
 - K. 92nd District Court**
 - L. J.P. Pct. #3, Pl.1**
 - M. County Judge**
 - N. Pct. #2 – Adm.**
 - O. Pct. #2 – Co. Shop**
 - P. Veterans Service**
 - Q. County Extension**
 - R. 389th District Court**
 - S. Tax Office**
 - T. HIDTA Task Force**
 - U. Courthouse Security**
 - V. Pct. #3 – Paved/unpaved**
 - W. Pct. #4 – Paved/unpaved**
 - X. Rural Fire Calls**
 - Y. Auxiliary Court**
- 3. Monthly Fee Reports: (SEE EXHIBIT B)**
 - A. District Clerk - \$ 217,853.72 – October 1999**
- 4. Right of Way – Permits: (SEE EXHIBIT C)**
 - A. Pct. #3 – Western Geophysical**
 - B. Pct. #3 – Coastal Oil & Gas USA, L.P.**
 - C. Pct. #4 – Southwestern Bell**

5. **Urban County: (SEE EXHIBIT D)**
 - A. **HOME "First-Time Homebuyer Contract Agreement" and Letter of Commitment to Mortgage Company (1 family)**

6. **Planning Department: (SEE EXHIBIT E)**
 - A. **Final Plat Approval with Letter of Credit:**
 1. **West Mission Estates No. 3 – Pct. #3**
 2. **Lantana Acres No. 2 – Pct. #4**
 3. **Pramga Phase II – Pct. #4**

7. **Approval of Minutes: (SEE EXHIBIT F)**
 - **April 07, 1998**
 - **April 13, 1998**
 - **April 21, 1998**
 - **April 28, 1998**
 - **March 16, 1999**

8. **Tax Office: (SEE EXHIBIT G)**
 - A. **Approval of Tax Refunds:**
 - **Michael A & Kathleen Manuel - \$ 1,515.44**
 - **Ortega Farms – Jose A & Rene Ortega - \$ 500.00**
 - **Sierra Stewart Title – Jose V. Garza - \$ 4,088.74**

9. **Purchasing Department: (SEE EXHIBIT H)**
 - A. **HIDALGO COUNTY AUTO LICENSE SUB-STATIONS -**
 1. **Requesting approval of a maintenance agreement for commercial alarm monitoring in Mission, Weslaco & McAllen with Superior Alarms effective 12/1/99 to 11/30/02.**
 - B. **HIDALGO COUNTY 398TH STATE DISTRICT COURT -**
 1. **Requesting exemption from competitive bidding requirements under the Texas Local Government Code, Section 262.024 (C), ('a state agency of this state')**
 2. **Requesting authority to purchase a Norstar phone system from SWB, a QISV (qualified information systems vendor), through the State of Texas General Services Commission's, Catalogue Purchasing Program in the amount of \$2,663.15 which includes equipment, installation and a two-year parts and labor warranty (at no charge).**

**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

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

3. Prayer

Monica Badillo lead the Court and Audience in Prayer.

4. Open Forum

No presentations were made under Open Forum.

5. Elections Administration: (SEE EXHIBIT I)

A. Canvassing of the November 02, 1999 Constitutional Amendment General Election Returns

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

6. District Clerk: (SEE EXHIBIT J)

A. Budget amendment - \$ 9,000.00

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

B. Authorize County Auditor to pay three (3) invoices

NO ACTION taken on this item.

7. Juvenile Probation: (SEE EXHIBIT K)

A. Approval to participate in Title IV-E Enhanced Claiming through the Texas Juvenile Probation Commission and request approval to contract with L & S Administrative Consultants for the purpose of developing, implementing, filing and maintaining our Title IV-E Enhanced Reimbursements

NO ACTION taken on this item.

8. Human Services: (SEE EXHIBIT L)

A. Request consideration of advanced payment for unpaid hospital bills incurred by Mission Hospital, Knapp Medical Center and Columbia Rio Grande Regional Hospital in the amount of \$ 300,000 for Mission Hospital, \$ 200,000 Columbia Rio Grande Regional Hospital and \$ 300,000 for Knapp Medical Center

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

B. Request consideration of advanced payment for unpaid doctor bills incurred by the following physicians, amounts listed are suggested payments, however additional funds may be considered if court allows:

1. Gomez, Julian	5,000.00	22. Valley Cardiology P.A.	6,000.00
2. Mid Valley Family Practice	7,000.00	23. Valley Hand & Plastic	7,000.00
3. Trevino, Rodolfo	17,000.00	24. Valley Medical Group	7,000.00
4. Bay, Luis	9,000.00	25. Villarreal, Victor R.	5,000.00
5. Valero, Gustavo	5,000.00	26. Rodriguez-Arguello, Jesus	7,000.00
6. Chowdhury, Tim	9,000.00	27. Guel, Mario	5,000.00
7. Ochoa, Alfonso	5,000.00	28. Edinburg OB Gyn Clinic	5,000.00
8. Garcia Rendon, Jose	5,000.00	29. Igoa, Jose	5,000.00
9. Guerrero, Rodolfo	6,000.00	30. Fernandez, Jose	6,000.00
10. Jelinek, Michael	11,000.00	31. Salinas, Juan J.	7,000.00
11. Posluszny, Terry	6,000.00	32. Salazar, Juan J.	7,000.00
12. Backlas & Associates	5,000.00	33. Western Emergency Physicians	5,000.00
13. Nuestra Clinica del Valle	6,000.00	34. Pardo, Robert	7,000.00
14. Villarreal, E. Linda	5,000.00	35. Gillet, Richard	5,000.00
15. Digestive Disease Specialists	5,000.00	36. Rodriguez, Ramon	5,000.00
16. Amegin, George P.	6,000.00	37. Reyes, Luis	5,000.00
17. Lower RGV Comm. Health	5,000.00	38. Florez, Marco T.	6,000.00
18. McAllen Primary Care Assoc.	10,000.00	39. Fernandez, Mario	6,000.00
19. Cortez, Oscar	6,000.00	40. Marquez, Guillermo	5,000.00
20. So. Tx. Emer. Physicians	5,000.00	41. Hernandez, Miguel	5,000.00
21. So. Tx. Gastroenterology & Ass.	5,000.00	42. Ramirez, Norman	6,000.00

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

C. Authorization to hire two temporary clerks to assist in the processing of back logged bills

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

D. Set salary at \$ 6.25 hour

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

E. Approval of line item transfer from contractual services to extra help in the amount of \$ 5,000.00

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

9. Palmer Drug Abuse: (SEE EXHIBIT M)

A. Request for confiscated funds

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

B. Approval of Agreement between Palmer Drug Abuse Program and the County of Hidalgo

NO ACTION taken on this item.

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

A. Approval to Develop and Submit a Proposal for Operation of Workforce Centers in Hidalgo and Willacy Counties to the Lower Rio Grande Valley Workforce Development Board

Commissioner Rosel motion to approve, motion dies for lack of a second.

11. Health Department: (SEE EXHIBIT O)

A. Approval of contract amendment – contract #7460007176A2000-01A in the amount of \$ 15,624.00 for the period of 10/01/99 to 08/31/00

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

B. Request approval to appropriate \$ 15,624.00 to Title V budget

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

12. Tax Office: (SEE EXHIBIT P)

A. Approval of 1999 Tax Roll Totals

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

B. Approval of budget amendment - \$ 12,500.00

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

13. County Judge: (SEE EXHIBIT Q)

A. Approval of Proposed Holidays for Year 2000

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

B. Selection of Appraisal District Board of Directors for Years 2000-2001

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

C. Appointment of Community Representative to serve on Head Start Policy Council

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

14. Urban County: (SEE EXHIBIT R)

A. Approval of a Professional Services Contract with Melden & Hunt Inc. – City of Hidalgo – Water & Sewer Improvements – UC Year 10 (FY 1997) & Year 11 (1998)

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

15. Planning Department: (SEE EXHIBIT S)

A. Consideration & action on a Variance Request for Water Meters and Sewer Tap Deposits:

1. Greener Pastures Mobile Home Subdivision – Pct. #1

NO ACTION taken on this item.

B. Consideration for Final Plat Approval:

1. Greener Pastures Mobile Home Subdivision – Pct. #1

NO ACTION taken on this item.

16. Pct. #1: (SEE EXHIBIT T)

A. Approval to transfer out \$ 17,748 from General Fund to Pct. #1 R & B fund & appropriate same for health & life insurance premiums

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

B. Approval to appropriate \$ 3,908.97 for reimburseables to architect for Multi-purpose Center

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

C. Request approval of Weslaco Sub-Station Construction Application #7 for payment and authorize Auditor to make payment to Reyna Construction

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

D. Presentation on Airport Land Use – Weslaco Airport Director, George Garrett

NO ACTION taken on this item.

17. Pct. #3: (SEE EXHIBIT U)

A. Authorization for Auditor to process payment to Frank Garcia Trucking & Material in the amount of \$6,717.97

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

18. Pct. #4: (SEE EXHIBIT V)

A. Authorization to pay accumulated comp-time for two (2) employees - \$ 185.16

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

19. Purchasing Department: (SEE EXHIBIT W)

A. HIDALGO COUNTY -

1. Discussion and action on status of new Adult Detention Facility and Law Enforcement Center Design/Build Project, Current Hidalgo County Jail and Consulting Architect Contract Negotiations

NO ACTION taken on this item.

2. **Requesting final approval of draft specifications as attached hereto for "Mailing Services-Hidalgo County."**

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

B. HIDALGO COUNTY PRECINCT NO. 4 -

1. **Recommending bid award to bidder meeting all specifications for "One (1) New 2000 Motor Grader."**

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

2. **Recommending bid award to low bidder for "Two (2) New 2000 Tractors."**

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

C. HIDALGO COUNTY-DISTRICT CLERK'S OFFICE -

1. **Requesting approval of claims from The Document Storage Company (present contracted vendor for "Off Premises Storage, Records Management Contract" for District Clerk) for:**

- A. **Removal and storage of all "in-house" records at a rate of \$1,000.00/month for the months of August, September and October 1999: Total due \$3,000.00**

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

- B. **Boxes used for the storage of said "in house" records. Total due \$6,937.25**

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

2. **Requesting authority for Auditor to pay said claims to The Document Storage Company in the amount of \$9,937.25**

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

3. **Requesting approval of modifications to present contract and to the newly extended second year contract with The Document Storage Company to include all current records with effective date of 11-1-99 for present contract and 1-1-00 to second year contract at an additional rate of \$1,000.00/month.**

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

D. HIDALGO COUNTY WIC PROGRAM -

1. **Requesting exemption from competitive bidding requirements for professional engineering services in connection with the "McAllen & Progreso Modular Sites" for the WIC Program.**

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

2. **Requesting approval of proposed professional engineering services contracts with Quintanilla, Headley & Associates, Inc for (McAllen Site) & Sigler, Winston, Greenwood & Associates, Inc. for (Progreso Site)**

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

3. **Requesting authority to advertise & approval of specifications as attached hereto for "Rental of Office Space in the City of Las Milpas."**

On motion of Commissioner Palacios, 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 approval to go into Executive Session.

20. Closed Session: (SEE EXHIBIT X)

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

- A. **Armando Munguia et. al. Vs. "El Mañana" Newspaper et. al. – C-3452-97-A**
- B. **Garza vs. Hidalgo County Water Development Board, et. al. – C-094-97-C & C-094-97-C-1**
- C. **Lopez et. al. vs. Hidalgo County – M-97-085**
- D. **Potential Acquisition/Lease of Real Property**
- E. **Miguel Mesa vs. the County of Hidalgo – C-2512-98-F**
- F. **Sandra Sosa Mesa vs. the County of Hidalgo – C-1104-99-E**

NO ACTION taken on these items.

21. Open Session:

- A. **Armando Munguia et. al. Vs. "El Mañana" Newspaper et. al. – C-3452-97-A**
- B. **Garza vs. Hidalgo County Water Development Board, et. al. – C-094-97-C & C-094-97-C-1**
- C. **Lopez et. al. vs. Hidalgo County – M-97-085**
- D. **Potential Acquisition/Lease of Real Property**
- E. **Miguel Mesa vs. the County of Hidalgo – C-2512-98-F**
- F. **Sandra Sosa Mesa vs. the County of Hidalgo – C-1104-99-E**

NO ACTION taken on these items.

22. Closed Session:

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

NO ACTION taken on this item.

23. 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 Garza, seconded by Commissioner Rosel, 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, NOVEMBER 08, 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 – Escondido Creek Estates Phase III**
- 3. Line item transfer**
- 4. Approval of Minutes:**
 - April 07, 1998**
 - April 13, 1998**
 - April 21, 1998**
 - April 28, 1998**
 - March 16, 1999**

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

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DRAINAGE DISTRICT

1. Authorization to advertise for excavation for Mission Lateral extension

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

2. Authorization to advertise for (1) one new slopemower

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

3. Selection of Appraisal District Board of Directors for Years 2000-2001

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

4. Approval of 1999 Tax Roll Totals

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

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

**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 08th day of November, 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 14 day of
November, 2000.*