

SPECIAL MEETING – NOVEMBER 30, 1999

BE IT REMEMBERED, that on this 30th day of November, 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 SYLVIA HANDY	COMMISSIONER, PRECINCT NO.1
HONORABLE HECTOR (TITO) PALACIOS	COMMISSIONER, PRECINCT NO.2
HONORABLE JUAN ROSEL	COMMISSIONER, PRECINCT NO.3

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, NOVEMBER 30, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 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. County Auditor**
 - B. County Court #1**
 - C. 398th District Court**
 - D. Planning Department**
 - E. 389th District Court**
 - F. Health Department – TB Elimination**
 - G. Health Department – Clinics**
 - H. Pct. #2 – Paved/unpaved**
 - I. Pct. #2 – County Wide Shop**
 - J. Pct. #2 – Adm.**
 - K. J.P. Pct. #1, Pl. 1**
 - L. HIDTA – Task Force**
 - M. Personnel Department**
 - N. Buildings & Grounds**
 - O. Pct. #3 – Landfill**
 - P. Pct. #3 – Adm.**
 - Q. Pct. #3 – Paved/unpaved**
 - R. Pct. #3 – Parks**
- 3. Planning Department: (SEE EXHIBIT B)**
 - A. Release of the Letter of Credit:**
 - 1. Peaceful Acres Subdivision – Pct. #3**
- 4. Right of Way – Permits: (SEE EXHIBIT C)**
 - A. Pct. #1:**
 - Southern Union Gas
 - North Alamo Water Supply
 - B. Pct. #2:**
 - Vastar Resources, Inc.

C. Pct. #4:

- Shell Western E & P, Inc.
- Vastar Resources, Inc.
- North Alamo Water Supply – FM 493 & FM 1925
- North Alamo Water Supply – Harding Rd. & 7th St.
- North Alamo Water Supply – FM 1426 & SH 107
- Southern Union Gas

5. Approval of Minutes: (SEE EXHIBIT D)

A. July 7th, 13th, 21st, 28th, 1998

B. April 06, 1999

6. Urban County: (SEE EXHIBIT E)

A. HOME/Homeowner Occupied Housing Rehab Application

B. HOME “First-Time Homebuyer Contract Agreement” and Letter of Commitment to Mortgage Company (5 Families)

7. Purchasing Department: (SEE EXHIBIT F)

A. Adult Probation – Requesting approval of a maintenance agreement for a Fax Machine Model L770 with IKON Office Solutions effective 12/23/99 to 12/22/00

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

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1. Roll Call

All members of the Court were counted present with the exception of Judge Jose Eloy Pulido and Commissioner Oscar Garza.

2. Pledge of Allegiance

At this time Commissioner Rosel called on Godfrey Garza to lead the Court and Audience in reciting the Pledge of Allegiance.

3. Prayer

June Brann lead the Court and Audience in Prayer.

4. Open Forum

No presentations were made under the Open Forum.

5. Tax Office: (SEE EXHIBIT G)

A. Ministerial approval of appropriation in the Special Vehicle Inventory Fund

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

6. J.P. Pct. #2, Pl. 2: (SEE EXHIBIT H)

A. Discussion and approval to change temporary court clerk to a full time position

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

B. Approval to set salaries

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

C. Approval of budget amendment

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

7. Sheriff Department: (SEE EXHIBIT I)

A. Approval to appropriate monies received on seizure award (Acct. 9-104-421-100)

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

B. Approval to accept the U.S. Department of Justice “Cops in School” Grant award in the amount of \$979,047.00 for the period 09/01/99 to 08/31/2002

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

C. Approval to appropriate the “Cops In School” Grant Budget in the amount of \$979,047.00 for the period 09/01/99 to 08/31/2002

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

D. Set Salaries

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

E. Approval of Interlocal Agreement and Deputy Retention Plan with Mercedes, Sharyland and Weslaco Independent School Districts

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

8. Buildings & Grounds: (SEE EXHIBIT J)

A. Budget Amendment – \$ 84,000.00

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

9. Right of Way: (SEE EXHIBIT K)

A. Request approval to amend Interlocal Agreement with Texas Eastern Transmission Corp. approved on Nov. 02, 1999 from \$ 15,700.00 to \$ 24,200.00

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

10. Head Start: (SEE EXHIBIT L)

A. Requesting authority to advertise a request for bids (RFB) for the construction of “San Carlos Head Start Center” Project being carried by Cotera, Kolar & Negrete

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

B. Requesting exemption from competitive bidding requirements for Professional/Architectural and Engineering Services in connection with the “Transportable Building Project”

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

C. Requesting approval of contract for architectural and engineering services with Alvarado Architects & Associates

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

D. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024(c) for a maximum of One (1) 19 Passenger School Bus

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

E. Requesting authority to purchase a maximum of “One (1) 19 Passenger School Bus from “State Wide Bus Sales” through the resolution with State of Texas, under General Services Commission (Total Price including shipping is \$ 35,992.00)

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

11. Lower Rio Grande Valley Development Council: (SEE EXHIBIT M)

A. Request for funds from Hidalgo County for the Regional Census Media Campaign - \$ 22,938.00

NO ACTION taken on this item.

12. Computer Department: (SEE EXHIBIT N)

A. Budget amendment - \$ 12,000.00

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

13. County Judge: (SEE EXHIBIT O)

A. Discussion and presentation on “Border Trade Transportation Task Force Report”

NO ACTION taken on this item.

B. Discussion and presentation on Inner/Outer Loop “Thoroughfare Plan”

NO ACTION taken on this item.

C. Introduction of RSKCo Staff assigned to Hidalgo County

Introduction made by Charlie Montgomery.

D. Approval of Interlocal Governmental Agreement between Hidalgo County HIDTA Task Force and the Hidalgo County Fire Marshal’s Office

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

E. Discussion and approval of Bike Patrol Officer from the Courthouse Security Fund

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

F. Approval of Budget Amendment from the Courthouse Security Fund

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

G. Approval to set salary

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

14. Adult Probation: (SEE EXHIBIT P)

A. Request approval of a temporary exception to the current Hidalgo County Sick Leave Policy; which will allow employees of the Adult Probation Department to create a Sick Leave Pool to be used by an employee who is suffering from a serious illness

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

B. Request approval of a budget amendment - \$ 258.05

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

15. Planning Department: (SEE EXHIBIT Q)

A. Preliminary Plat Approval:

1. Lost Meadows Subdivision – Pct. 1

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

2. Monte Alto Phase II – Pct. 1

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

3. Rincon De Encinos No. 5 – Pct. 4

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

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

A. Acceptance of the Project Recover Grant Award in the County of Hidalgo Pct. #1 in the amount of \$221,396.00

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

B. Appropriation of cash match in the amount of \$79,698.00

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

C. Appropriation of funds

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

D. Approval to dedicate a road known as “Blanco Road” as per description attached

NO ACTION taken on this item.

E. Naming of road, as per request “Blanco Road”

NO ACTION taken on this item.

17. Pct. #2: (SEE EXHIBIT S)

A. Budget amendment transfer from Paved/unpaved acct. #9-040-431-210 to road adm. acct. #9-040-431-100

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

B. Budget amendment transfer from Parks acct. # 9-220-452-210 to County Wide Shop acct. # 9-020-431-700

NO ACTION taken on this item.

18. Pct. #3: (SEE EXHIBIT T)

A. Authorization to re-classify vacant slot #7 from Road Maintenance/Survey to Road Construction Maintenance – salary will remain the same at \$ 16,855.00 year

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

19. Urban County: (SEE EXHIBIT U)

A. Approval of an Agreement between The University of Texas – Pan American and Hidalgo County

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

B. Approval of a Construction Contract with ECO Resources, Inc. – City of Donna – Water/Sewer Improvements – UC Years 10, 11 and 12 (1997, 1998 & 1999)

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

C. Self Help Center #716023, Housing Rehabilitation Program City of Mission – Linda Vista Subdivision

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

D. Approval of Subrecipient Agreement with the Alamo Boys and Girls Club, Inc. – City of San Juan – Youth Services – Urban County Program Year 11 (1998)

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

E. Approval of a Construction Contract with Mission Paving Co., Inc. – Pct. #4 – Street Improvements – UC Year 12 (1999)

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

F. Approval of Change Order No. 5-7 for Mercer & Ussery, Inc. – City of Elsa – Water/Sewer Improvements – 1994-1999 (UC Years 7-12)

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

G. Approval of a Professional Services Contract with Quintanilla, Headley & Associates – Edcouch Water & Sewer Improvements – UC Year 10 (1997)

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

H. Approval of Change Order #2 for Carter & Burgess, Inc. – City of Elsa – Water & Sewer Improvements – 1997 & 1999 (UC Years 10 & 12)

NO ACTION taken on this item.

20. Public Defense: (SEE EXHIBIT V)

A. Approval to authorize mobile phone for Court Appointments Coordinator

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

21. Purchasing Department: (SEE EXHIBIT W)

A. HIDALGO COUNTY -

1. Discussion and action of present Hidalgo County Jail and/or new Adult Detention Facility and Law Enforcement Center Project.

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

2. Requesting a budget amendment from the General Fund in the amount of \$1,811.84 to pay the County's portion of the participation fee of \$1,400.00 (based on County's population size) and administrative cost fee of \$411.84 for the State of Texas' General Services Commission's State Travel Management Program on airfares: Total fee is \$2,811.84. Hidalgo County Sheriff's Department annual contribution for participation \$1,000.00

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

3. Requesting approval of a "Resolution" Re: "The County Officers and County Employee's Participation in the State of Texas Contract Airline Fares."

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

4. Pursuant to the adoption of said "Resolution" and as required by the General Services Commission, the selection of an individual as the "Point-of-Contact" (POC).

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to appoint Marty Salazar as POC.

5. Recommending bid award for “Gasoline and On & Off Highway Diesel Fuel Products.”

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

6. Requesting approval of contract for “Gasoline and On & Off Highway Diesel Fuel Products.”

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

7. Recommending rejection of Statements of Qualifications received (and as yet unopened for evaluation and scoring) due to very poor participation in the County wide project of “Appraisers and/or Surveyors.”

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

8. Requesting authority to re-advertise the County wide project: “Appraisers and/or Surveyors Services.”

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

9. Requesting approval to exercise the one (1) year (as provided by contract) extension of contract for Mats, Dusts Mops and Shop Rags - Janitorial Service with Ameri Pride for Hidalgo County.

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

B. HIDALGO COUNTY PRECINCT NO. 2 -

1. Requesting authority to advertise and approval of specifications as attached hereto for “Three (3) New 2000 Semi-Tractors.”

On motion of Commissioner Palacios, 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 “One (1) New 2000 Heavy Duty Dump Truck W/Bed.”

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

C. HIDALGO COUNTY PRECINCT NO. 3 -

1. Requesting approval to appropriate note proceeds for “One (1) 1999 Current Production Wheeled Tractor Backhoe/Loader” with IBC Bank note agreement dated 06/11/99.

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

D. HIDALGO COUNTY RESTITUTION CENTER -

1. Approval to appropriate funds in the amount of \$36,302.00 for the Restitution Center. Change Order No. 2 for onsite utilities improvements as approved by Commissioner’s Court on October 26, 1999.

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

E. HIDALGO COUNTY –

1. Requesting approval of payment of application & certificates of payments Nos. 1 & 2 submitted by the City of McAllen on the construction of the COPC Clinic from bond proceeds:

- **Application & certificate for payment No.1 paid by the City of McAllen on 10/19/99 - \$ 58,860.03**
 - **Application & certificate for payment No.2 paid by the City of McAllen on 11/15/99 - \$ 198,327.87**
- Total: - \$ 257,187.90**

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

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval to go into Executive Session.

22. Closed Session:

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

A. Armando Munguia et. al. vs. "El Manana" Newspaper et. al. – Cause #C-3452-97-A

NO ACTION taken on this item.

23. Open Session:

A. Armando Munguia et. al. vs. "El Manana" Newspaper et. al. – Cause #C-3452-97-A

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a 2 to 1 vote of approval to settle this case.

AYE: Commissioners Handy and Palacios
NAY: Commissioner Rosel

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 Handy, seconded by Commissioner Palacios, 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 SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on TUESDAY, NOVEMBER 30, 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 Palacios, 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. Approval of Minutes:**
 - A. July 7th, 13th, 21st, 28th, 1998**
 - B. April 06, 1999**

**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, NOVEMBER 30, 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. Purchasing Department:

A. Recommending bid award for "Gasoline and On & Off Highway Diesel Fuel Products"

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

B. Requesting approval of contract for "Gasoline and On & Off Highway Diesel Fuel Products"

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

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

**COUNTY OF HIDALGO
JOSE ELOY PULIDO
COUNTY JUDGE**

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a WORKSHOP of the Commissioners' Court will be held on TUESDAY, NOVEMBER 30, 1999 at 2:00 P.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:

WORKSHOP

- 1. Discussion to purchase equipment from General Fund for the Function of Pct. #3 Landfill**

**NOTE: RECORDS SHOW THAT THIS WORKSHOP WAS
CANCELLED.**

**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 _____ **ABSENT** _____
COUNTY JUDGE

SYLVIA HANDY _____
COUNTY COMMISSIONER, PRECINCT 1

HECTOR (TITO) PALACIOS _____
COUNTY COMMISSIONER, PRECINCT 2

JUAN ROSEL _____
COUNTY COMMISSIONER, PRECINCT 3

OSCAR L. GARZA _____ **ABSENT** _____
COUNTY COMMISSIONER, PRECINCT 4

Dated this the 30th 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
Novmeber, 2000.*