

REGULAR MEETING – DECEMBER 13, 1999

BE IT REMEMBERED, that on this 13th day of December, 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, DECEMBER 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 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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, with exception to the following:
Line item # 2/E

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfers: (SEE EXHIBIT A)**
 - A. Purchasing Department**
 - B. HIDTA – Task Force**
 - C. Sheriff Cops More 98 Grant**
 - D. Courthouse Security**

 - E. J.P. Pct. #2, Pl. 2 –** On motion of Commissioner Palacios, seconded by Commissioner Handy, the Court made a **UNANIMOUS** vote to take **NO ACTION** on this item until proper amendments are made.

 - F. 139th District Court**
 - G. 370th District Court (2)**
 - H. J.P. Pct. #2, Pl. 1**
 - I. 92nd District Court**
 - J. 398th District Court (2)**
 - K. Constable Pct. #3 (2)**
 - L. County Clerk**
 - M. Courthouse Security**
 - N. Buildings & Grounds (2)**
 - O. Buildings & Grounds – Minor Structures**
 - P. Pct. #1 – Parks**
 - Q. Computer Department**
 - R. Human Services**
 - S. Pct. #3 – Landfill**
 - T. 206th District Court**
 - U. Health Department – Sanitation**
 - V. Master Court #1**
 - W. Pct. #4 – Paved/unpaved**
 - X. Pct. #3 – Paved/unpaved**
- 3. Monthly Fee Reports: (SEE EXHIBIT B)**
 - A. District Clerk - \$ 219,980.15 - Nov. 1999**
 - B. County Clerk - \$ 517,922.04 - “ “**
- 4. Right of Way – Permits: (SEE EXHIBIT C)**
 - A. Pct. #1 – Dewbre Petroleum Corp.**

- B. Pct. #2 – Southwestern Bell
- C. Pct. #4 – North Alamo Water Supply

5. Urban County: (SEE EXHIBIT D)

- A. HOME/Homeowner Occupied Housing Rehab Application (6 Families)

6. Approval of Minutes: (SEE EXHIBIT E)

- A. September 01st, 8th, (resubmittal), 14th, 22nd, 29th, 1998
- B. April 20, 1999

7. Planning Department: (SEE EXHIBIT F)

- A. Citrus Hills Subdivision – Pct. #1
(Request for Extension)

8. Purchasing Department: (SEE EXHIBIT G)

A. HIDALGO COUNTY J.P. PCT. 2, PL. 2 -

- 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 computer peripherals and software from Dell Marketing L.P., a QISV Vendor, through the State of Texas, General Services Commission, Catalogue Purchasing Program, Total Discounted purchase price including freight:
Hidalgo County J.P. Pct. 2, Pl. 2 \$2,948.00

B. HIDALGO COUNTY COMPUTER DEPARTMENT –

- 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 computer routers and peripheral equipment from Southwestern Bell, a QISV through the State of Texas, General Services Commission, State Contract Award (Total including installation and shipping: \$ 11,695.45) Purchase is for the Live Scan Grant Project for the Hidalgo County Sheriff's Department

**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, DECEMBER 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 Lisa Aleman to lead the Court and Audience in reciting the Pledge of allegiance.

3. Prayer

Lisa Aleman lead the Court and Audience in Prayer.

4. Open Forum

Lala Riojas made a presentation under the Open Forum.

5. Health Department: (SEE EXHIBIT H)

A. Authorization and approval to reclassify vacant position #46 in the general fund acct. #9-010-441-700 from billing clerk to clerk manager

NO ACTION taken on this item.

6. District Clerk: (SEE EXHIBIT I)

A. To appropriate funds for Child Support Division

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

7. Sheriff Department: (SEE EXHIBIT J)

A. Approval and authorization to set salaries for grant funded employees for Year 2000:

- 1. Narcotics Trafficking Task Force (Acct. #0-150-421-000)**
- 2. South Texas Auto Theft Enforcement Task Force (Acct. #0-150-421-200)**
- 3. Sheriff Financial Disruption Task Force (Acct. #0-151-421-701)**
- 4. Texas Department of Transportation –El Protector (Acct #0-150-421-100)**
- 5. Texas Multi-Agency Drug-Related Public Corruption Task Force (Acct. #0-150-421-699)**

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

B. Jail Commissary:

1. Approval to appropriate budget amendment in the amount of \$156,096.37 for the Jail Commissary Acct. #0-795-423-200

After first motion (inaudible), seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

2. Approval to set salaries for Jail Commissary Personnel for Year 2000

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

8. Urban County: (SEE EXHIBIT K)

A. Formal action to approve Contract #718175 between Hidalgo County and the Texas Department of Community Affairs for Sanitary Sewer Improvements and authorizing the County Judge to Act on Behalf of the County

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

B. Formal action to terminate a construction contract with River Valley Construction and Award of Contract to the Second Low Bidder – 1998 Colonia Construction Grant # 718075 – Sanitary Sewer Improvements (Linda Vista Subdivision)

NO ACTION taken on this item.

C. Approval of a Professional Services Contract with Hinojosa Engineering, Inc. – City of La Joya – Water & Sewer Improvements – UC Year 9 (1996)

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

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

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

E. Approval to terminate a Construction Contract with S & G Paving Company – City of Edcouch – Street Improvements – UC Year 9 & 11 (1996 & 1998)

NO ACTION taken on this item.

9. Right of Way: (SEE EXHIBIT L)

A. Discussion and action on 50x50 tract of land located at Moore Field, ¼ mile south of FM 495 – Time Warner Communication

NO ACTION taken on this item.

B. Discussion, clarification and action on Right of Way Acquisition Allocation

Inaudible on audiotape.

10. County Judge: (SEE EXHIBIT M)

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

Inaudible on audiotape.

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

Inaudible on audiotape.

C. County Employee Christmas Party and Request to close offices for ½ day on December 22, 1999

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

11. Computer Department: (SEE EXHIBIT N)

A. Approval and authorization to install a telephone line at 3317 North “C” McAllen, Texas

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

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

- A. Request approval of Application #4 for construction of the Elsa Health Clinic/JP Facility and authorize Auditor to make payment to Rio Valley Construction**

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

- B. Request approval of Architectural services invoice # 5 for the Elsa Health Clinic/JP Facility and authorize Auditor to make payment to Thomas Design Group**

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

13. Pct. #3: (SEE EXHIBIT P)

- A. Authorization to establish a policy to address speed limits on County roads not to exceed 50 mph unless otherwise posted**

NO ACTION taken on this item.

- B. Authorization to re-classify and upgrade vacant slot #42 from Heavy Equipment Operator to Maintainer Operator – Salary will upgrade from \$ 17,122.00/year to \$ 19,833.45/year**

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

- C. Approval to create a Maintainer Operator position and set salary at \$ 19,833.45/year**

NO ACTION taken on this item.

- D. Authorization to dissolve the three (3) data entry clerk positions at the DPS station effective December 31, 1999**

On motion of Commissioner Rosel, seconded by Commissioner Garza, the Court made a vote of approval. Specific votes are as follow:

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

NAY: Commissioner Palacios

- D. Approval to create three (3) roving data entry clerk positions for JP Courts and set salary (roving clerks to be supervised by JP Charlie Espinoza, JP Rosa Trevino and JP Ismael “Melo” Ochoa)**

NO ACTION taken on this item.

- E. Request authorization for Auditor’s Office to pay Sesin Engineering in the amount of \$ 24,397.54 for engineering services at El Pinto Road**

NO ACTION taken on this item.

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

- A. Authorization to pay accumulated comp-time**

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

15. Courthouse Security: (SEE EXHIBIT R)

A. Appointment of Deputy Constable

NO ACTION taken on this item.

B. Approval to transfer Chief of Security position from Courthouse Parking Lot Acct. to Courthouse Security Acct.

NO ACTION taken on this item.

C. Appropriation of funds & set salary

NO ACTION taken on this item.

16. Purchasing Department: (SEE EXHIBIT S)

A. HIDALGO COUNTY -

1. Discussion and action of present Hidalgo County Jail and/or new Adult Detention Facility and Law Enforcement Center Project.
2. Requesting authority to re-advertise for "The Recording and Delay Broadcast of Hidalgo County Commissioners' Court Meetings" due to no participation.

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

3. Acceptance of claims by The Software Group (TSG) incurred by the Data Processing Department in 1998. Said claims (invoices) are as follows:

a.) District Clerk's Office - See item #5 on Exhibit 1 Inv. #19732 (5/98) - IVRS System-Hardware and Support	\$ 6,500.00
b.) Various County Departments - See item #7 on Exhibit 1 Inv. #19456 (8/98) - Digi Servers-Repeaters -Transceivers	\$ 4,174.21
c.) Hidalgo County District Attorney's Office - See item #4 on Exhibit 1 Inv. #20195 (1/99) - Universe License Upgrade	<u>\$20,000.00</u>
Total amount of claims	<u>\$30,674.21</u>

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

4. Authorization of Hidalgo County Auditor to pay said claims to The Software Group (TGS) in the amount of \$30,674.21

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

5. Requesting approval of application and certificate for payment for Hidalgo County Courthouse renovations from:

- a.) Mr. George A. Garcia, Architect - \$1,800.00
- b.) JDS Construction Co., Inc. - Contractor - \$48,441.45

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

6. Authorization for Auditor to pay:

- a.) Mr. George A. Garcia, Architect - \$1,800.00
- b.) American Contracting USA - Contractor - \$48,441.45

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

7. **Recommending award of bid to sole bidder for “Pipes” (Corrugated Polyvinyl Chloride [PVC] Storm Sewer & Corrugated Steel Storm Sewer Pipes).**

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

8. **Requesting approval of contract for “Pipes” (Corrugated Polyvinyl Chloride [PVC] Storm Sewer & Corrugated Steel Storm Sewer Pipes).**

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

9. **Requesting authority for approval to transfer funds from General Fund to Courthouse Renovation Capital Project Fund in the amount of \$ 8,300.00 & appropriate same**

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

10. **Authorize County Auditor to pay ACI Environmental Consultants, Inc. in the amount of \$ 8,300.00**

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

B. HIDALGO COUNTY PRECINCT’S -

1. **Requesting authority to advertise and approval of specifications as attached hereto for “Four (4) New 2000 Roll - Off Trucks.”**

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

C. HIDALGO COUNTY PRECINCT NO. 2-

1. **Recommending award of bid for “Hauling Services.”**

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

2. **Requesting approval of contract for “Hauling Services.”**

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

3. **Recommending to reject bid received for “Hauling Services” under line item Type D Hot Mix Gravel.**

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

4. **Requesting authority to advertise and approval of specifications as attached hereto for “Hauling Services” Type D Hot Mix - Gravel.**

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

5. **Requesting approval of modification to existing contract with R. Gutierrez Engineering Corporation in order to clarify assignment of projects per work order authorization and thus facilitate billing and payment.**

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

D. HIDALGO COUNTY PRECINCT NO. 3 -

- 1. Recommending award of bid for “Three (3) 1995 or Newer MotorGraders” to bidder meeting all requirements.**

NO ACTION taken on this item.

E. HIDALGO COUNTY PRECINCT NO. 4 -

- 1. Recommending bid award to low bidder for “One (1) New 2000 Current Production Wheeled Tractor Backhoe/Loader.”**

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

F. HIDALGO COUNTY ADULT DETENTION FACILITY -

- 1. Requesting exemption from competitive bidding requirements for Professional Services/Consulting Services for Drash Consulting Engineers to provide geological engineering services.**

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

- 2. Requesting approval of a professional services contract with Drash Consulting Engineers.**

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

G. HIDALGO COUNTY HEALTH DEPARTMENT -

- 1. Requesting authority for exemption from the competitive bidding requirements under the Texas Local Government Code 262.024 (C) for Professional Services for Pharmacist with David Castro.**

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

- 2. Requesting approval for Professional Services Contract with David Castro.**

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

H. HIDALGO COUNTY JUVENILE PROBATION DEPARTMENT

- 1. Requesting approval of change order on contractual amount with Alvarado Architects & Associates for automatic sprinkler system for Post Adjudication Facility, due to a request from the City of Weslaco, to comply with 1997 City Code 101.**

NO ACTION taken on this item.

I. HIDALGO COUNTY WIC PROGRAM

- 1. Requesting authority for exemption from the competitive bidding requirements under the Texas Local Government Code 262.024 for a lease.**

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

- 2. Requesting approval of a short-term (90 day) lease under the present vendor with the same rates, terms and conditions.**

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

17. Court Reporters Fund: (SEE EXHIBIT T)

A. Approval of budget amendment

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

On motion of Commissioner Garza, the Court made a UNANIMOUS vote to ADJOURN this day's Regular 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, DECEMBER 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 Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve all items listed under the Drainage District Consent Agenda.

DRAINAGE DISTRICT

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfer – Acct. #9-080-433-100
(SEE EXHIBIT U)**
- 3. Line item transfer – Acct. #9-080-433-200
(SEE EXHIBIT U)**
- 4. Approval of Minutes:
A. September 01st, 8th, (resubmittal), 14th, 22nd, 29th, 1998
B. April 20, 1999**

**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, DECEMBER 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. Budget amendment – Acct. #9-080-415-200.46
(SEE EXHIBIT V)**

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

2. HIDALGO COUNTY DRAINAGE DISTRICT NO. 1 – (SEE EXHIBIT W)

A. Recommending award of bid to sole bidder for: “One (1) New Diesel Powered Heavy Duty Tractor with a 35' Slope Mower.”

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

3. County Employee Christmas Party and Request to close offices for ½ day on December 22, 1999

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

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

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 December, 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.