

SPECIAL MEETING – FEBRUARY 29, 2000

BE IT REMEMBERED, that on this 29th day of February, A.D., 2000, 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 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 **SPECIAL MEETING** of the Commissioners' Court will be held on **TUESDAY, FEBRUARY 29, 2000, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 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. Purchasing Department**
 - B. Human Services**
 - C. WIC**
 - D. County Clerk**
 - E. District Attorney**
 - F. Jail Impact Court**
 - G. Health Department – Adm.**
 - H. Health Department – Sanitation**
 - I. Health Department – Clinics**
 - J. Pct. #2 – Adm.**
 - K. Pct. #2 – Landfill**
 - L. Pct. #2 – County Wide Shop**
 - M. Pct. #2 – Parks**
 - N. Pct. #3 – Landfill**
 - O. Pct. #3 – Parks**
 - P. Pct. #3 – Paved/unpaved**

- 3. Planning Department: (SEE EXHIBIT B)**
 - A. Approval of the following Certificates:**
 - **Certificates of Plat & Utility Status under Local Government Code Section 232.028(b).....109**
 - **Certificates of Residence Construction under Local Government Code Section 232.029 (c)(1).....3**
 - **Certificates of Water Service Availability under Local Government Code Section (c)(2).....4**

- 4. Monthly Fee Reports: (SEE EXHIBIT C)**
 - A. District Attorney - \$ 175,430.77 – January 2000**

- 5. Right of Way – Permits: (SEE EXHIBIT D)**
 - A. Pct. #1:**
 - 1. North Alamo Water Supply – Mile 9N on 5 ½N**
 - 2. North Alamo Water Supply – Mile 6W ¼ mile north of Mile 17N**

 - B. Pct. #2:**
 - 1. BGP International, Inc. – Old Military Road & Baseline Road**

C. Pct. #3:
1. Coastal Oil & Gas USA, L.P. – south of FM 490 into Coastal’s compression station

D. Pct. #4:
1. North Alamo Water Supply – Richardson Road for Palma #1 Lot 2
2. North Alamo Water Supply – Pinkston Road (500’) west of Tower Road
3. North Alamo Water Supply – Pinkston Road (1000’) west of Tower Road
4. North Alamo Water Supply – Trenton Road west of Tower Road
5. Western Geophysical – 10 miles east & west of FM 490

6. Urban County: (SEE EXHIBIT E)

A. HOME “First-Time Homebuyer Contract Agreement” and Letter of Commitment to Mortgage Company (2 Families)
B. HOME “First-Time Homebuyer Contract Agreement” and Letter of Commitment to Mortgage Company (1 Family)
C. HOME/Homeowner Occupied Housing Rehab Applications (1 Family)
D. HOME/Homeowner Occupied Housing Rehab Applications (1 Family)

**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

Judge Pulido called on Lucy Molina to lead the Court and Audience in reciting the Pledge of Allegiance.

3. Prayer

At this time Lucy joined the Court and Audience in Prayer.

4. Open Forum

No presentations were made under the Open Forum.

5. Right of Way: (SEE EXHIBIT F)

A. Budget amendment to appropriate unreserved fund balance - \$ 271,933.02

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

6. County Engineering Services: (SEE EXHIBIT G)

A. Approval of budget amendment – FY 2000

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

7. County Judge: (SEE EXHIBIT H)

A. Unappropriate funds for JP roving clerk

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

B. Authorization to create a non-profit corporation and name incorporator

NO ACTION taken on this item.

8. Urban County: (SEE EXHIBIT I)

A. Discussion and possible action on Expenditure Ratios required by HUD for the expenditure of Community Development Block Grant funds

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

B. Approval of Change Order #1 with Delta Caliche, Inc. – City of Elsa – Clearance & Demolition – UC Year 12 (1999)

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

C. Approval of Budget and Program Amendments for UC Year 12 (1999) – Pct. #4

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

D. Approval of an Interlocal Agreement for renovation of a gymnasium – Pct. #4 – Youth Centers – UC Year 12 (1999)

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

E. Authorization to terminate a Construction Contract with Espericueta Construction and Award of Construction Contract to the second low bidder – City of Hidalgo – Street Improvement – UC Year 10 (1997)

NO ACTION taken on this item.

F. Approval of a Personal Services Contract with High Tec Productions – Hidalgo County Fair Housing Center

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

G. Cancellation of the “Letter of Commitment” on Frontera Mortgage on the HOME “First-Time Homebuyer Contract Agreement” (1 Family)

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

H. Cancellation of the “Letter of Commitment” on Obra Homes on the HOME “First-Time Homebuyer Contract Agreement” (1 Family)

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

I. Approval of a Construction Contract with S & G Paving Co. Inc. – Pct. #1 – Sidewalk Improvements – UC Year 11 & 12 (1998/99)

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

9. Head Start: (SEE EXHIBIT J)

A. Requesting authority to advertise a Request for Bids (RFB) for the following services:

- 1. Air conditioning/Heating Repair**
- 2. Electrical Repair**
- 3. Plumbing Repair**

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

B. Requesting approval for Policy Council increase on allowable “child care” expense reimbursement by \$10.00 per meeting

A motion was made by Commissioner Rosel and seconded by Commissioner Handy. Both motions were withdrawn, and the Court agreed that NO ACTION would be taken on this item.

C. Recommending approval of contracts for the following items:

- 1. Classroom supplies**
- 2. Janitorial supplies**
- 3. U.S.D.A. Food Items**

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

10. Pct. #1: (SEE EXHIBIT K)

A. Request consideration and adoption of a resolution in support of a grant application to be submitted by the Hidalgo County Association for Family and Community Education (a non profit organization) to the Environmental Protection Agency

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

B. Approval of invoices for engineering services to Rodriguez Engineering and authorization to make payment

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

11. Pct. #2: (SEE EXHIBIT L)

A. Presentation by “Employee Benefit Committee”

Presentation only.

B. Discussion and approval of recommendations

NO ACTION taken on this item.

C. Discussion and action on exploring drought relief for Hidalgo County

NO ACTION taken on this item.

12. Pct. #3: (SEE EXHIBIT M)

A. Authorization to re-classify slot #20 from Foreman to Tractor Shredder Operator (salary will remain the same)

NO ACTION taken on this item.

B. Authorization to increase salary on slot #8 from \$ 15,660.00 to \$ 18,000.00 per year

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

13. Pct. #4: (SEE EXHIBIT N)

A. Authorization to upgrade and set salary for vacant slot #7 in the Sanitation Department

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

B. Line item transfer – Sanitation Department

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

C. Authorization to create one (1) position (Crew Leader) and set salary for Paved/unpaved roads

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

D. Line item transfer – Paved/unpaved Roads

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

E. Request authorization to accept cost-share funds from Iowa, Thompson & Monte Cristo Subdivision

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

F. Line item transfer – Paved unpaved Roads

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

14. Purchasing Department: (SEE EXHIBIT O)

A. HIDALGO COUNTY -

1. Discussion and/or action, but not limited to the following items:

a.) Current Hidalgo County Jail

1. Total inmate population

2. La Villa Project Status

b.) New Adult Detention Facility and Law Enforcement Center Project.

2. Requesting approval of payment of application and certificates of Payment No. Five (5) submitted by the City of McAllen on the construction of the COPC Clinic out of bond proceeds - Said payment is in accordance with the Inter-local Agreement between the City of McAllen and the County of Hidalgo under Article 4 (b). Total amount due:

Application and Certificate for Payment No. (5) paid by the City of McAllen (02-03-00) \$ 161,047.16
Total \$ 161,047.16

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

3. Requesting approval for change order #1 in connection with the renovation at the Hidalgo County Courthouse for Two (2) New State District Courtrooms.

a.) Change Order No. 2 - \$ 3,110.00

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

B. HIDALGO COUNTY PRECINCT NO. 3 -

1. Recommending bid award for: “Three (3) New 2000 Motor Graders” to low bidder.

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

C. HIDALGO COUNTY ADULT PROBATION DEPARTMENT -

1. Requesting approval of payment for Restitution Center Project from: American Contracting USA

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

2. Authorization for auditor to pay: American Contracting USA - \$ 120,015.00

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

D. HIDALGO COUNTY SHERIFF'S DEPARTMENT -

1. Requesting approval of a Software License Agreement and a Maintenance and Support Agreement between County of Hidalgo (Hidalgo County Sheriff's Department) and Software Corporation of America (SCA) a subsidiary of Motorola, Inc. in connection with the authorized purchase of hardware, software and peripherals approved by Commissioner's Court on 01-03

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: "Wireless Computing System"

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

E. HIDALGO COUNTY PRECINCT NO. 1 -

1. Approval of contract for program support services with Border Visions for Project Recover (awarded on 2-22-00)

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

15. Texas Department of Transportation: (SEE EXHIBIT P)

A. Authorize County Auditor to process payment to TxDot in the amount of \$ 8,307.88

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

16. Closed Session: (SEE EXHIBIT Q)

On motion of Commissioner Garza, seconded by Commissioner Rosel, 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, Sections 551.071 and 551.072 to discuss the following:

- A. Cause No. T-747-90-E; City of Mercedes & Mercedes ISD vs. Aurora Reyna**
- B. Cause No. T-278-89-B; City of Mercedes & Mercedes ISD vs. Kevin R. Nugent**
- C. Cause No. T-578-97-D; City of Elsa & Hidalgo County vs. Marcelo Cavazos**
- D. Cause No. T-113-93-A; Hidalgo County, City of Edcouch, Edcouch-Elsa ISD and Hidalgo-Kenedy County Education District #10 vs. Lydia Zarate Uribe**
- E. Cause No. T-537-95-E; Pharr-San Juan-Alamo ISD, Hidalgo-Kenedy County Education District #10 and Hidalgo County vs. Lidia Campos (TRACT 1)**
- F. Cause No. T-537-95-E; Pharr-San Juan-Alamo ISD, Hidalgo-Kenedy County Education District #10 and Hidalgo County vs. Lidia Campos (TRACT 2)**
- G. Cause No. T-639-95-B; Weslaco ISD, Hidalgo-Kenedy County Education District #10 and Hidalgo County vs. Asociacion Charro Del Valle, et al**

- H. Cause No. T-701-95-A; Edinburg CISD, Hidalgo-Kenedy County Education District #10 and Hidalgo County vs. Firma Soselito, et al
- I. Cause No. T-515-88-E; Hidalgo County vs. CXE, Inc., et al
- J. Southwestern Bell vs. Hidalgo County

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

17. Open Session: (SEE EXHIBIT Q)

- A. Cause No. T-747-90-E: City of Mercedes & Mercedes ISD vs. Aurora Reyna
- B. Cause No. T-278-89-B; City of Mercedes & Mercedes ISD vs. Kevin R. Nugent
- C. Cause No. T-578-97-D; City of Elsa & Hidalgo County vs. Marcelo Cavazos
- D. Cause No. T-113-93-A; Hidalgo County, City of Edcouch, Edcouch-Elsa ISD and Hidalgo-Kenedy County Education District #10 vs. Lydia Zarate Uribe
- E. Cause No. T-537-95-E; Pharr-San Juan-Alamo ISD, Hidalgo-Kenedy County Education District #10 and Hidalgo County vs. Lidia Campos (TRACT 1)
- F. Cause No. T-537-95-E; Pharr-San Juan-Alamo ISD, Hidalgo-Kenedy County Education District #10 and Hidalgo County vs. Lidia Campos (TRACT 2)
- G. Cause No. T-639-95-B; Weslaco ISD, Hidalgo-Kenedy County Education District #10 and Hidalgo County vs. Asociacion Charro Del Valle, et al
- H. Cause No. T-701-95-A; Edinburg CISD, Hidalgo-Kenedy County Education District #10 and Hidalgo County vs. Firma Soselito, et al
- I. Cause No. T-515-88-E; Hidalgo County vs CXE, Inc., et al

On motion of Commissioner Rosel, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approve line items # 16/A through 16/I.

J. Southwestern Bell vs. Hidalgo County

NO ACTION taken on this item.

18. Closed Session:

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

NO ACTION taken on this item.

19. Open Session:

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

NO ACTION taken on this item.

**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, FEBRUARY 29, 2000 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 Handy, the Court made a UNANIMOUS vote to approve the Drainage District Consent Agenda.

DRAINAGE DISTRICT

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Discharge permit – City of Edinburg – Jackson Park Subdivision Phase 1 & 2 (SEE EXHIBIT R)**

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

**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, FEBRUARY 29, 2000, 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:

ADDENDUM

1. Risk Management: (SEE EXHIBIT S)

A. Approval of Resolution to participate in the Texas Association of Counties Safety Audit

NO ACTION taken on this item.

2. Head Start: (SEE EXHIBIT S)

A. Approval of Resolution to participate in the Texas Association of Counties Safety Audit

NO ACTION taken on this item.

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to adjourn this day's meeting.

**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 29th day of February, 2000

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

**By: _____
Jessica Coder, Deputy**

Minutes approved by the Commissioners' Court and the Drainage District #1 Board on the 5th day of December, 2000.