

REGULAR MEETING – APRIL 10, 2000

BE IT REMEMBERED, that on this 10th day of April, 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 REGULAR MEETING of the Commissioners' Court will be held on MONDAY, APRIL 10, 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**

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/O

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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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.

1. Approval of check register and payment of claims and bills - County Auditor

2. Line item transfers: (SEE EXHIBIT A)

- A. Computer Department**
- B. HIDTA – Task Force**
- C. 389th District Court**
- D. WIC**
- E. Sheriff Investigation Fund**
- F. Pct. #2 – Adm.**
- G. Pct. #2 – Paved/unpaved**
- H. Pct. #2 – County Wide Shop**
- I. Planning Department**
- J. Human Services**
- K. Veterans Services**
- L. Pct. #1 – Adm.**
- M. Pct. #1 – Park**
- N. Pct. #1 – Grant**
- O. Auxiliary Court – NO ACTION taken on this item.**
- P. Health Department – Sanitation**
- Q. Buildings & Grounds**
- R. County Treasurer**
- S. Tax Office**
- T. Personnel Department**
- U. 92nd District Court**
- V. County Clerk**
- W. Constable Pct. #5**
- X. Right of Way**

3. Monthly Fee Reports: (SEE EXHIBIT A)

- A. District Clerk - \$ 380,606.58 – March 2000**

4. Right of Way – Permits:

- A. Pct. #1 – Southwestern Bell – north of Baker Rd.**
- B. Pct. #3 – Southwestern Bell – Palmas Del Norte Street**
- C. Pct. #3 – Southwestern Bell – South of FM 676**
- D. Pct. #4 – Western Geophysical – east & west of FM 490**

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

6. **Planning Department:** (SEE EXHIBIT A)
 - A. **Approval of the following Certificates:**
 - **Certificates of Plat & Utility Status under Local Government Code Section 232.028(b)**
 - **Certificates of Residence Construction under Local Government Code Section 232.029 (c)(1)**
 - **Certificates of Water Service Availability under Local Government Code Section (c)(2)**
 - B. **Final Plat Approval with Letter of Credit:**
 1. **Santa Lucia Phase III – Pct. #1**
 2. **El Jardin Estates No. 2 – Pct. #3**

7. **Purchasing Department:** (SEE EXHIBIT A)
 - A. **Hidalgo County Precinct No. 4 -**
 1. **Requesting approval for a maintenance agreement from Safety- Kleene for a cleaning machine for \$ 100.09 per year. Effective March 08, 2000 thru March 7, 2001.**
 - B. **Hidalgo County 206th District Court -**
 1. **Requesting approval for a maintenance agreement from Jones & Cook for a IBM Wheelwriter for \$115.00 per year. Effective February 20, 2000 thru February 19, 2001.**
 - C. **Hidalgo County HIDTA Task Force -**
 1. **Requesting approval for a maintenance agreement form Felco Office System for a Copier 9920DP for \$957.00 per year. Effective April 28, 2000 thru April 27, 2001.**
 - D. **Hidalgo County WIC Program -**
 1. **Requesting approval for a maintenance agreement form Argus Security Systems for an alarm system in Progreso Clinic for \$525.00 per year. Effective April 10, 2000 thru April 9, 2001.**

**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, APRIL 10, 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:

1. Roll Call

All members of the Court were counted present.

2. Pledge of Allegiance

(Inaudible)

3. Prayer

(Inaudible)

4. Open Forum

(Inaudible)

5. D.P.S. – Highway Patrol: (SEE EXHIBIT B)

A. Budget amendment - \$ 6,600.00

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

6. Urban County: (SEE EXHIBIT C for the following:)

A. Approval of Change Order No. 8 for Mercer & Ussery, Inc. – City of Elsa – Water/Sewer Improvements – (1994-1999) UC Years 7, 8, 9, 10 11 & 12

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

B. Approval of a Personal Services Contract with REO Engineers & Surveyors Ltd. – City of Alton – Comprehensive Planning Project – UCP Yr. 12 (1999)

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

C. Approval of revision of Exhibit B-1 & B-2 of the Subrecipient Agreement with the Alamo Boys & Girls Club – Pct. #2 – Youth Services – UCP Year 11 (1998)

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

D. Approval of a Professional Service Agreement with Flores Engineering, Inc. – City of Penitas – Water & Sewer Improvements – UC Year 10 & 11 (1997 & 1998)

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

E. Approval of revision of Exhibit B-2 of the Subrecipient Agreement with Hidalgo County Historical Museum – Pct. #2 – Public Services (General) – UCP Year 10 (1997)

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

F. Approval of a Professional Services Contract with Alcocer Garcia Associates – City of La Joya – Parks & Recreational Facilities – UC Year 9 (1996)

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

G. City of Donna – HOME/Housing Rehabilitation – Construction Contract Award

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

7. Planning Department: (SEE EXHIBIT D)

A. Partial Release of Letter of Credit:

1. Cielo Azul Subdivision No. 3 – Pct. #1

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

8. County Judge: (Exhibits are as follow:)

**A. Appointment of Civil Service Commissioner for Hidalgo County
(SEE EXHIBIT E)**

On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval. At this time Judge Benita R. Valadez was sworn into office by Hidalgo County Judge Jose Eloy Pulido.

B. Approval to appoint member to the Conference of Urban Counties (CUC) Standing Committee on State Intergovernmental Relations (SEE EXHIBIT F)

Judge Pulido was appointed Member to the Conference of Urban Counties Standing Committee. On motion of Commissioner Rosel, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.

**Approval of Interlocal Agreement between the Lower Rio Grande Valley Development Council & the County of Hidalgo for E911 Services, PSAP Equipment and Addressing/Addressing Maintenance
(SEE EXHIBIT G)**

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

C. Approval of Interlocal Cooperation Agreement between Pharr Economic Development Corporation & the County of Hidalgo (SEE EXHIBIT H)

NO ACTION taken on this item.

**D. Approval to pay membership dues to Lower Rio Grande Valley Development Council
(SEE EXHIBIT I)**

NO ACTION taken on this item.

**E. Approval of Sick Leave Pool Policy for Hidalgo County
(SEE EXHIBIT J)**

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

9. Human Services: (SEE EXHIBIT K)

A. Approval to reclassify slot #3 from Eligibility Worker/Clerk to Assistant Claims Reviewer/Processor

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

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

A. Budget amendment to appropriate unreserved funds to Pct. #1 Park Fund

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

11. Pct. #3: (Exhibits are as follow:)

A. Authorization to approve an Interlocal Agreement between Hidalgo County and the City of La Joya (SEE EXHIBIT M)

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

B. Line item transfer – Adm. (SEE EXHIBIT N)

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

12. Pct. #4: (SEE EXHIBIT O for the following:)

A. Consideration of sale of real property

NO ACTION taken on this item.

B. Authorize Purchasing Department to obtain appraisals of real property

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

13. Buildings & Grounds: (SEE EXHIBIT P)

A. Request approval for Buildings & Grounds to create a Sick Leave Pool to be used by an employee who is suffering from a serious illness

Approval of the Sick Leave Pool Policy was made on line item # 8/E; this is to be applied to that policy.

14. Purchasing Department: (SEE EXHIBIT Q)

A. HIDALGO COUNTY -

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

a.) Present Hidalgo County Jail:

1. Total inmate population.....767
 - Physical Count.....543
 - La Villa Facility Count.....167
 - Out of County Count.....57

2. Current Jail Cases/Dockets for: State District and County Court-At-Law Courts

NO REPORT.

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

Detailed report by Marty Salazar.

2. Requesting authority to exercise the sixty (60) day grace period under current contract for: "Hidalgo County-Type D Hot Mix-Limestone & Gravel", so as to have no lapse in service while bid process is on going.

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

3. Recommending award of bid for: "Hauling Services of Roll-Off Containers to Edinburg Landfill from Collection Sites".

NO ACTION taken on this item.

4. Requesting approval of contract for: "Hauling Services of Roll-Off Containers to Edinburg Landfill from Collection Sites".

NO ACTION taken on this item.

5. Requesting approval of invoices for payment for Hidalgo County Courthouse two new District Courts from:

- A. Mr. George A. Garcia, Architect - \$600.00
- B. JDS Construction Co., Contractor - \$91,096.45

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 - \$600.00
- B. JDS Construction Co., Contractor - \$91,096.45

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

7. Requesting approval for change order #2 in connection with the construction of the Post-Adjudication Center:

- A. Change Order No.2 - \$2,505.00

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

B. HIDALGO COUNTY PRECINCT NO. 3 - LANDFILL -

1. Requesting authority to advertise the leasing of equipment (if necessary) for a period not to

exceed six (6) months while purchase of equipment through the competitive bidding procedure is completed.

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

C. HIDALGO COUNTY COMPUTER DEPARTMENT -

- 1. Requesting approval of maintenance agreement with Ardent for software products for \$18,090.00 per year. Effective January 1, 2000 thru December 31, 2001.**

NO ACTION taken on this item.

- 2. Authorization for Auditor to pay:
A. Ardent Software, Inc. - \$18,090.00**

NO ACTION taken on this item.

D. HIDALGO COUNTY JUVENILE PROBATION DEPARTMENT -

- 1. Requesting exemption from competitive bidding requirements for professional services/architectural services in connection with (but not limited to): Renovation or (possible design of a new facility) of the present Juvenile Probation Department located on Hwy. 281 in Edinburg, Texas.**

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

2. Authority to direct purchasing department to negotiate a final contract with Reynaldo Vargas, AIA, V-A Architects & Associate

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

15. Declaration of May 04, 2000 as "National Day of Prayer" – Tony Espinoza (SEE EXHIBIT R)

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

16. Closed Session: (SEE EXHIBIT S)

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

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

- A. Cause # M-97-085 Lopez et al. vs. County of Hidalgo**
- B. Cause # M-95-078 Diaz vs. County of Hidalgo**

Upon return, Judge Pulido certified that NO ACTION was taken on any of the above listed items during Executive Session.

17. Open Session: (SEE EXHIBIT S)

- A. Cause # M-97-085 Lopez et al. vs. County of Hidalgo**
- B. Cause # M-95-078 Diaz vs. County of Hidalgo**

On motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval to authorize the settlement of both cases stated in line items # 17/A and 17/B.

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.

On motion of Commissioner Rosel, seconded by Commissioner Handy, 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, APRIL 10, 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 Palacios, seconded by Commissioner Handy, the Court made a UNANIMOUS vote to approval all items listed under the Consent Agenda.

DRAINAGE DISTRICT

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Discharge Permit – City of La Villa – South Empowerment Zone Complex
(SEE EXHIBIT T)**
- 3. Line item transfer
(SEE EXHIBIT T)**

**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, APRIL 10, 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:

DRAINAGE DISTRICT

- 1. Authorization to acquire right of way for Business 83 Lateral in the area of San Juan**
(SEE EXHIBIT T)

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

- 2. Authorization to adopt the new Federal Emergency Management Agency (FEMA) maps dated June 6, 2000 as per FEMA requirements** (SEE EXHIBIT T)

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

- 3. Authorization to participate in the Mercedes Outlet Mall and Expressway drainage improvements**
(SEE EXHIBIT T)

On motion of Commissioner Rosel, the Court made a UNANIMOUS vote of approval, subject to reimbursement and interlocal being approved by this Commissioners' Court and Legal Council.

- 4. Purchasing Department:** (SEE EXHIBIT T)
A. Drainage District:

- 1. Presentation of sole response to Request for Qualifications (RFQ) for the purpose of certifying the firm as qualified by the Board of Directors of Hidalgo County Drainage District No.1 to serve as: Bond Counsel**

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

- 2. Authority to direct purchasing to negotiate a final contract for Bond Counsel Service for Hidalgo County Drainage District No. 1**

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

- 3. Presentation of sole response to Request for Qualifications (RFQ) for the purpose of certifying the firm as qualified by the Board of Directors of Hidalgo County Drainage District No. 1 to serve as: Financial Advisor**

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

- 4. Authority to direct purchasing to negotiate a final contract for Financial Advisor Services for Hidalgo County Drainage District No. 1**

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

5. Approval of Sick Leave Pool Policy

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

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

**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 10th day of April, 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.