

SPECIAL MEETING – JULY 25, 2000

BE IT REMEMBERED, that on this 25th day of July, 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 L. GARZA, JR.	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, JULY 25, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 this 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. 275th District Court (2)**
 - C. J.P. Pct. #1, Pl. 1**
 - D. Constable Pct. #5**
 - E. Elections Department**
 - F. Buildings & Grounds**
 - G. Extension Service**
 - H. Constable Pct. #1**
 - I. Planning Department (2)**
 - J. Pct. #1 – Project Recover**
 - K. Pct. #1 – Parks**
 - L. Pct. #1 – Paved/unpaved**
 - M. Pct. #1 – Lateral Roads**
 - N. Pct. #1 – Adm.**
 - O. Pct. #3 – Landfill**
 - P. Pct. #3 – Park**
 - Q. County Treasurer**
- 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) → 33**
 - **Certificates of Residence Construction under Local Government Code Section 232.029 (c)(1) → 0**
 - **Certificates of Water Service Availability under Local Government Code Section (c)(2) → 7**
 - B. Final Plat Approval:**
 - 1. Paraiso Estates Subdivision – Pct. #4**
- 4. Right of Way – Permits: (SEE EXHIBIT C)**
 - A. Pct. #1:**
 - 1. North Alamo Water Supply – Sioux & Hutto Road**
 - 2. North Alamo Water Supply – FM 1925, west of Mile 5 ½**
 - 3. North Alamo Water Supply – Mile 14 ½ North, West of FM 88**
 - B. Pct. #3:**
 - 1. Okemah Construction Inc. – Monte Cristo Rd. North of Moorefield Road**
 - 2. Southern Union Gas Company – Bentsen Palm Drive at intersection of Expy. 83**

C. Pct. #4:

- 1. North Alamo Water Supply – FM 493 & 8th St.**
- 2. North Alamo Water Supply – west of FM 1423**
- 3. Western Geophysical – west to east to FM 1015**
- 4. Southwestern Bell – Kenyon Rd.**

5. Monthly Fee Report: (SEE EXHIBIT D)

- A. County Clerk - \$ 383,606.56 – June 2000**

**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 Commissioners' Court will be held on TUESDAY, JULY 25, 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

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

3. Prayer

At this time Godfrey Garza joined the Court and Audience in Prayer.

4. Open Forum

Presentations were made under the Open Forum regarding potholes and allergy causing dust in the Colonia of Nuevo Alton.

5. J.P. Pct. #2, Pl. 1: (SEE EXHIBIT E)

A. Approval to accept resignation from Justice of the Peace Pct. #2, Pl. 1 – Dario L. Martinez

NO ACTION taken on this item.

B. Appointment to fill vacancy in the position of J.P. Pct. #2, Pl. 1

NO ACTION taken on this item.

C. Set bond for J.P. Pct.#2, Pl. 1

NO ACTION taken on this item.

D. Approval & acceptance of bond for J.P. Pct. #2, Pl. 1

NO ACTION taken on this item.

6. Resolution authorizing purchase of land, construction of office building and financing thereof by Hidalgo County Appraisal District – Hidalgo County (SEE EXHIBIT F)

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

7. Resolution authorizing purchase of land, construction of office building and financing thereof by Hidalgo County Appraisal District – Road District #5 (SEE EXHIBIT G)

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

8. Sheriff Department: (SEE EXHIBIT H)

A. Approval to appropriate monies received on seized awards in the Sheriff's Federal Sharing – U.S. Department of Justice Fund 112

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

B. Approval to re-classify vacant slot #154 from LVN to RN (Jail budget)

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

C. Set Salary at \$ 42,000.00

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

9. Courthouse Security Fund: (SEE EXHIBIT I)

A. Approval of budget amendment – Surveillance equipment

NO ACTION taken on this item.

10. Urban County: (SEE EXHIBIT J)

A. Approval of budget and program amendments – City of Alamo – UC Years 11 & 12 (1998 & 1999)

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

B. Approval of a Professional Services Contract with Quintanilla, Headley & Associates – City of Alamo – Parks, Recreational Facilities – UC Year 10 & 12 (1997 & 1999)

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

C. 1998 Colonia Construction Contract #718075 – Change Order #2 with River Valley Construction Sanitary Sewer Improvements/Linda Vista Subdivision

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

D. Extension on “Letter of Commitment” to Mortgage Company on HOME “First-Time Homebuyer Contract Agreement (2 Families)

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

E. Cancellation of the “Letter of Commitment” to Rural Development on the HOME “First-Time Homebuyer Contract Agreement” of Francisco Medina

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

F. Self-Help Center Project/Grant #716023 HOME/Homeowner Occupied Housing Rehab Application for Linda Vista Subdivision (2 Families)

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

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

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

H. City of Penitas – HOME/Housing Rehabilitation Program – Construction Contract Award

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

I. Cancellation of a Construction Contract with Border Water Works and request permission to re-bid the project – City of Penitas – Water & Sewer Improvements – UC Years 11 & 12 (1998 & 1999)

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

11. Head Start: (SEE EXHIBIT K)

A. Requesting approval to enter into “Pilot Partnership Project” between the Progreso Independent School District and the Hidalgo County Head Start Program to house a three classroom center

NO ACTION taken on this item.

B. Requesting approval of “Memorandum of Understanding” with the Progreso Independent School District and the Hidalgo County Head Start Program for the “Pilot Partnership Project”

NO ACTION taken on this item.

12. County Judge: (SEE EXHIBIT L)

A. Discussion on Internal Audit of Urban County Program for the period of January 1, 1999 to March 31, 2000 as performed by County Auditor

NO ACTION taken on this item.

B. Approval of Revised Emergency Management Resolution

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

C. Approval of Revised Basic Emergency Management Plan

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

D. Approval of Transmittal Letter

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

E. Approval of Joint Resolution establishing an Interjurisdictional Emergency Management Program (sample language provided)

On motion of Commissioner Handy (seconded motion is inaudible on audiotape), the Court made a UNANIMOUS vote of approval.

13. Purchasing Department: (SEE EXHIBIT M)

A. HIDALGO COUNTY -

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

- a. Present Hidalgo County Jail-Total Inmate Population:855**
 - * **Physical Count599 (29 will be transferred to TDC tomorrow)**
 - * **La Villa Facility Count239**
 - * **Out of County Count17**

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

- 1. Requesting approval of amounts to be reimbursed to Hidalgo County's General Fund from proceeds of Certificates of Obligation**

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

2. Recommending award of bid for: "Office Furniture-Hidalgo County" to:

- a. Primary vendor, bidder offering the highest discount (53%) for Major Brand Catalogs and all other brand names in a single catalog;**

NO ACTION taken on this item.

- b. Secondary vendors, bidders offering the second highest discounts for the following categories:**

- 1. Major Brand Catalogs (50.1%)**

NO ACTION taken on this item.

- 2. all other brand names in a single catalog (three vendors offering 50% discount); selection for award to be determined by a drawing of lots as per the Texas Local Government Code Section 262.027 (b).**

NO ACTION taken on this item.

3. Recommending award of bid for: "Office Furniture-Hidalgo County" to:

- a. Primary vendor, bidder offering the highest discount (53%) for Major Brand Catalogs and all other brand names in a single catalog;**

NO ACTION taken on this item.

- b. Secondary vendors, bidders offering the second highest discounts for the following categories:**

- 1. Major Brand Catalogs (50.1%)**

NO ACTION taken on this item.

- 2. all other brand names in a single catalog (50%).**

NO ACTION taken on this item.

4. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) 7 for the purchase of the following items:

- a. Equipment**
- b. Hemoglobin Photometer**

- c. **Microcuvettes**
- d. **Glucose Photometer**
- e. **Related HemoCue Supplies**

in connection with the “ Sole Source Declaration” of Hartmann Medical as approved on, July 18, 2000 for a period of (1) one year for Hidalgo County WIC Program, Health Department and other applicable departments.

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

- 5. **Discussion and possible action on modification of specifications to incorporate Consumer Price Index Information to existing initial draft specifications due to daily Market Price Increases.**

NO ACTION taken on this item.

- 6. **Requesting authority to Re-Advertise for: “Lubricants (Grease, Oil, Hydraulic Fluids) And Anti-Freeze Products” for Hidalgo County due to no bids received on prior bidding.**

NO ACTION taken on this item.

B. HIDALGO COUNTY PRECINCT NO. 2 -

- 1. **Requesting approval and authority for Auditor to pay Hidalgo County Precinct Two’s cost-share portion of the Inter-local Cooperation Agreement with the cities of Hidalgo and McAllen for the completed: “Waterline Extension-North 10th Street Project” as submitted by the City of Hidalgo in the amount of \$34,698.00. Said payment to come from the following account: 0-040-431-210-**

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

- 2. **Requesting authorization to order both a Survey(s), Fair Market Value Appraisal(s) including any necessary environmental study/studies required in connection with potential acquisitions of real property for the establishment of a Citizen Collection Station and construction of a Community Service Center.**

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

C. HIDALGO COUNTY PRECINCT NO. 4 -

- 1. **Approval of real estate closing with Gloria E. Anzaldua and authorization to execute any and all documentation by appropriate parties of the Commissioner’s Court and Hidalgo County Auditor to issue payments in the following amounts: (1) Gloria E. Anzaldua \$ 5,543.34; (2) J.D. Salinas, III, Hidalgo County Clerk \$ 11.00; and (3) Armando Barrera, Jr., Hidalgo County Tax Assessor-Collector \$ 56.66 to complete the purchase of the property.**

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

- 2. **Requesting authority to re-advertise for: “Culvert Pipe Installation” as a result of no bids received.**

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

D. HIDALGO COUNTY ADULT PROBATION DEPARTMENT -

- 1. **Requesting approval of payment for Restitution Center: American Contracting USA, Contractor - \$12,478.50.**

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

2. Authorization for auditor to pay: American Contracting USA, Contractor - \$12,478.50.

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

E. HIDALGO COUNTY DISTRICT CLERK -

- 1. Requesting authority to advertise and approval of specifications as attached hereto for: "Fully Integrated, Automated Juror Administration System-Software and Hardware RFB- Hidalgo County District Clerk."**

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

F. HIDALGO COUNTY LIBRARY SYSTEM -

- 1. Requesting exemption from competitive bidding requirements under the Texas Local Government Code 262.024 (a) 7 for the purchase of a one year maintenance agreement for the "Unicorn" software system from SIRSI in connection with the Sole Source Declaration approved on July 18, 2000.**

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

G. HIDALGO COUNTY RIGHT OF WAY DEPARTMENT -

- 1. Requesting authority to advertise a Request for Qualifications (RFQ) or Request for Proposal (RFP) for: "Title Report Services" in order to establish a pre-qualified pool of firms.**

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

H. HIDALGO COUNTY SHERIFF'S DEPARTMENT -

- 1. Recommending bid award for: "TIRES" to sole bidder.**

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

- 2. Requesting approval of contract for: "TIRES" to sole bidder.**

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

14. Closed Session: (SEE EXHIBIT N).

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 551.074 to discuss the following:

- A. Litigation - Mary Alice Palacios vs. Hidalgo County – Civil Action # M –99-318**
- B. Litigation - Joel Molano vs. Hidalgo County – Civil Action # M-99-113**
- C. Personnel - Interview and possible selection of applicants for position of Hidalgo County Urban County Director**

Upon return Judge Pulido certified that NO ACTION was taken in Executive Session.

15. Open Session: (SEE EXHIBIT N)

- A. Litigation - Mary Alice Palacios vs. Hidalgo County – Civil Action # M –99-318**
- B. Litigation - Joel Molano vs. Hidalgo County – Civil Action # M-99-113**
- C. Personnel - Interview and possible selection of applicants for position of Hidalgo County Urban County Director**

NO ACTION taken on this item.

16. Closed Session:

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

NO ACTION taken on this item.

17. 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 to ADJOURN this day's Drainage District Meeting.

**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, JULY 25, 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 Rosel, the Court made a UNANIMOUS vote to approve all items listed under this Consent Agenda.

DRAINAGE DISTRICT

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Application for Discharge Storm Water – City of McAllen (SEE EXHIBIT O)**

**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, JULY 25, 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. Closed Session: (SEE EXHIBIT P)

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. Litigation - 99-127; North Alamo Water Supply Corporation vs. BFI Waste Management

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

2. Open Session: (SEE EXHIBIT P)

A. Litigation - 99-127; North Alamo Water Supply Corporation vs. BFI Waste Management

On motion of Commissioner Handy, seconded by Commissioner Rosel, the Court made a UNANIMOUS vote that Valde Guerra is to proceed as instructed by the Court.

3. Closed Session:

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

NO ACTION taken on this item.

4. Open Session:

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

NO ACTION taken on this item.

5. Approval of Resolution authorizing purchase of land, construction of office building and financing thereof by Hidalgo County Appraisal District (SEE EXHIBIT Q)

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

6. Approval to appropriate \$ 75,000.00 from 780 unappropriated fund balance (SEE EXHIBIT R)

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

7. Approval to appropriate \$ 70,000.00 from the unappropriated fund balance into 0-080-433-200.42 (SEE EXHIBIT S)

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

8. Discussion on U.S. Army Corps of Engineers – Galveston Meeting 07/24/00 – FEMA (SEE EXHIBIT T)

Discussion only.

**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 Commissioners' Court will be held on TUESDAY, JULY 25, 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. Pct. #1:

- A. Approval of final certificate for payment (retainage) for Weslaco Multi-Purpose Facility and authorize auditor to make payment to Reyna Construction**

NO ACTION taken on this item.

- B. Approval of final architect invoice for Weslaco Multi-Purpose Facility and authorize auditor to make payment to Alvarado Architect**

NO ACTION taken on this item.

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 25th day of July 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.