

SPECIAL MEETING – OCTOBER 24, 2000

BE IT REMEMBERED, that on this 24th day of October, 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 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, OCTOBER 24, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Handy, seconded by Commissioner Garza, the Court made a UNANIMOUS vote to approve all items listed under the Consent Agenda, with exception to the following:

Line item # 2/H
Line item # 2/I

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Line item transfers: (SEE EXHIBIT A)**
 - A. Personnel Department**
 - B. Sheriff's Task Force**
 - C. District Attorney – HIDTA**
 - D. HIDTA – Task Force Command Center**
 - E. Pct. #2 – Parks**
 - F. Pct. #2 – County Wide Shop**
 - G. County Treasurer**
 - H. Rural Fire Fighting –** On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote that this item be left out of the agenda for the purpose of correction.
 - I. Computer Department** On motion of Commissioner Handy, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote that this item be left out of the agenda for the purpose of correction.
 - J. District Clerk**
 - K. Health Department – Sanitation**
 - L. J.P. Pct. #1, Pl. 1**
 - M. Tax Office**
 - N. Human Services**
 - O. County Clerk**
 - P. Pct. #4 – Landfill**
 - Q. County Judge**
 - R. Pct. #1 – R & B**
 - S. Pct. #1 – Parks**
 - T. Sheriff Department**

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)39**
 - **Certificates of Residence Construction under Local Government Code Section 232.029 (c)(1).....1**
 - **Certificates of Water Service Availability under Local Government Code Section (c)(2).....7**
 - B. **Final Plat Approval:**
 1. **M.D.D. Martinez Subdivision – Pct. 2**
 2. **Mayan Subdivision Phase III – Pct. 4**

4. **Right of Way – Permits: (SEE EXHIBIT C)**
 - A. **Pct. #1:**
 1. **North Alamo Water Supply – ¼ Mile east of Mile ½ East on Mile 9 North – dual Bore**
 - B. **Pct. #4:**
 1. **Western Geophysical – Conduct seismographic survey work through use of weight-thumping beginning:**
 - **Hwy 490 crossing Hwy 281**
 - **Depot to FM 1925**

 - **“M” Road to Owassa Road**
 - **Roosevelt Road to Mile 12 Road**
 - **Mile 18 to Hwy 2812**
 2. **Western Geophysical – Conduct seismographic survey work through use of weight-thumping beginning:**
 - **5 Miles North of FM 1017 on Hwy 281**
 - **1 Mile West of FM 1017 west of Brewster School**
 - **3 Mile west from Hwy 281 on Hinojosa Road**
 - **6 Miles due East from Hwy 281 inline from Hinojosa Road**
 - **4 Mile East from Brushline Road and SH 186**

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

6. **County Treasurer: (SEE EXHIBIT E)**
 - A. **Quarterly Investment Report for the period ending 9/30/00**
 - B. **Quarterly Investment Report – Certificates of Obligation for the period ending 9/30/00**

7. **Approval of Minutes:**
 - A. **August 17, 1999**
 - B. **August 24, 1999**
 - C. **September 13, 1999**
 - D. **October 17, 2000**

8. **Purchasing Department: (SEE EXHIBIT F)**
 - A. **Hidalgo County WIC Program:**
 1. **Correction on a Maintenance Contract for a Savin Copier from Copier Supply – Contract if for period of 12 months and not two (2) months as stated on agenda of October 17, 2000 – Contract is for \$ 2,195.00 per year effective August 18, 2000 thru August 17, 2001**

**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 Pulido, who was attending an out of town conference to plan for a new juvenile facility.

Commissioner Juan Rosel stood in place of Judge Pulido during his absence, allowing all Commissioners' Court proceedings to continue as usual.

2. Pledge of Allegiance

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

3. Prayer

Alma Salinas lead the Court and Audience in prayer.

4. Open Forum

No presentations were made under the Open Forum.

**5. Presentation of Revenue Sharing Check for Hidalgo County – U.S. Fish & Wildlife – Lety Handy
(SEE EXHIBIT G)**

Steve Winter presented the Check and was thereupon advised by the Court to leave it in the care of Hidalgo County Auditor Manuel Cavazos.

6. Urban County: (SEE EXHIBIT H)

A. Approval of the Revised Standard Operating Procedures for the Owner-Occupied Housing Rehabilitation Program

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

B. Approval of a Contract with Central Power & Light for Installation of Street Lights – City of Palmview – Street Improvements – UC Year 11 (1998)

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

7. Computer Department: (SEE EXHIBIT I)

A. Approval to reclassify slot #5 to Senior Technician

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

B. Approval to reclassify slot #6 to Data Management Specialist

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

C. Approval to decrease slot #6 and increase slot #5 by \$ 9,960.00

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

D. Approval to set salaries

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

8. County Judge: (SEE EXHIBIT J)

A. Rescind action taken on August 22, 2000 agenda regarding the approval of Training Camp Agreement between the Dallas Cowboys Football Club, LTD., and the cities of McAllen, Mission and the County of Hidalgo, Texas, and the Rio Grande Valley Regional Sports Authority

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

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

A. Approval to transfer funds from Pct. #1 Road & Bridge to Pct. #1 Capital Project Fund 710 - \$ 1,724.88

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

B. Request approval to adopt a Resolution with the Monte Alto Volunteer Fire Department and Rio Grande Valley Empowerment Zone

NO ACTION taken on this item.

C. Request approval to appropriate unreserved Road & Bridge Funds to Pct. #1 Road & Bridge Account

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

D. Line item transfer – Project Recover Grant

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

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

A. Appropriate salary and fringe benefits for Urban County Coordinator and estimate revenue for reimbursement to be received from Urban County

NO ACTION taken on this item.

11. 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:.....807**
 - * **Physical Count.....547**
 - * **La Villa Facility Count.....249**
 - * **Out of County Count.....1 (Frio County)**

2. **New Adult Detention Facility and Law Enforcement Center Project:**
 - 1) **Detention Facility Law Enforcement Center Design-Build Contract Amendments (if any);**

NONE TO REPORT.
 - b) **County Auditor's Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval;**

NO ACTION taken on this item.
 - c) **Report and Recommendations of Owner's Consulting Architect;**

NO REPORT.
3. **Consideration for acceptance and approval of the sole response received for the RFQ&P in connection with "Legal" Services for the Collection of (Delinquent) Court Fines and Fees - Hidalgo County" from the firm of Linebarger Heard Goggan Blair Graham & Peña & Sampson, L.L.P. as "qualified" for the purpose of ranking.**

NO ACTION taken on this item; will be placed as a discussion item for a Workshop to be held on Friday, October 27, 2000, at 11:00 AM.
4. **Requesting award of RFQ&P for "Legal Services for the Collection of (Delinquent) Court Fines and Fees - Hidalgo County" to the sole qualified response received from the firm of Linebarger Heard Goggan Blair Graham Peña & Sampson, L.L.P.**

NO ACTION taken on this item; will be placed as a discussion item for a Workshop to be held on Friday, October 27, 2000, at 11:00 AM.
5. **Requesting approval of the negotiated proposed draft contract for professional/legal services for the "Collection of (Delinquent) Court Fines & Fees for Hidalgo County".**

NO ACTION taken on this item; will be placed as a discussion item for a Workshop to be held on Friday, October 27, 2000, at 11:00 AM.
6. **Requesting authority to advertise for: "FARM LAND LEASE 2000-2001".**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.
7. **Presentation for discussion and any action required regarding Hidalgo County's Section 125 (Cafeteria Plan)**

PRESENTATION ONLY.
8. **Presentation of the evaluation and scoring grid for the purposes of ranking the Statements of Qualifications received for Consulting Services for Deferred Compensation and/or Voluntary Insurance Plans for Hidalgo County**

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

9. **Requesting approval of a negotiated draft contract for Consulting Services for Deferred Compensation and/or Voluntary Insurance Plans for Hidalgo County with the number one ranked (scored) firm of Edwards Risk Management, Inc.**

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

10. **Pursuant to the action taken in items A, B & C requesting authority to advertise an RFP for:**
a) **Initial Project – Administrator/Provider of Products for Section 125 (Cafeteria Plan)**
b) **Optional Project – Administrator/Provider of Deferred Compensation Plan**

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

B. HIDALGO COUNTY PRECINCT NO'S 1, 3, & 4 -

1. **Request approval to appropriate proceeds from loans for landfill equipment as follows:**
- | | |
|---|---------------|
| a) Precinct No. 1 Landfill: Roll-Off Trucks with tarp rollers | \$ 171,142.00 |
| b) Precinct No. 3 Landfill: Compactor | \$ 217,446.00 |
| c) Precinct No. 3 Landfill: Loader | \$ 100,377.70 |
| d) Precinct No. 4 Landfill: Roll-Off Truck with tarp roller | \$ 85,571.00 |

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

C. HIDALGO COUNTY PRECINCT NO. 1 -

1. **Requesting authority to purchase “One (1) 2001 Ford F150 Super Cab” through the Interlocal Agreement with the Houston-Galveston Area Council (H-GAC) - Philpott Motor Company, Port Neches, Texas. The total price of the truck is \$ 22,929.49 which includes the H-GAC administration fee and delivery charges.**

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

D. HIDALGO COUNTY PRECINCT NO. 2 -

1. **Requesting authority to exercise the sixty (60) day grace period under current contract with “BFI” for “Landfill Access” so as to not have a lapse in service & allow the bid process to completed.**

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: “Landfill Access”.**

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

E. HIDALGO COUNTY PRECINCT NO. 3 -

- 1. Requesting authority to exercise the sixty (60) day grace period under current contract with “Valley Caliche Products” for “Crushed Caliche” so as not to have a lapse in service & allow the bid process to be completed.**

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

F. HIDALGO COUNTY HEALTH DEPARTMENT -

- 1. Requesting exemption from competitive bidding requirements for Professional Service/Medical Service with Dr. Richard Barrera.**

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

- 2. Requesting approval of Professional Services Contract for Dr. Richard Barrera.**

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

G. HIDALGO COUNTY JUVENILE JUSTICE COURT -

- 1. Recommending award of bid for: “Rental Space in the City of Edinburg” for a Juvenile Justice Court Facility 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: “Rental Space in the City of Edinburg” for a Juvenile Justice Court Facility to sole bidder.**

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

- 3. Requesting authority to advertise an RFQ&P for: “Character Education and Responsibility Training”**

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

H. HIDALGO COUNTY RESTITUTION CENTER -

- 1. Requesting listed phone equipment be declared surplus for the purpose of trade in.**

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

I. HIDALGO COUNTY SHERIFF’S DEPARTMENT -

- 1. Requesting 100 Vests listed on Exhibit “A” (pages 1 thru 11) be declared surplus for destruction and be removed from inventory.**

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

12. Youth Village: (SEE EXHIBIT N)

A. Line item transfer

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

12. Closed Session: (SEE EXHIBIT O)

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

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Sections 551.071 & 551.072 to discuss the following:

- A. Real Estate Acquisition**
- B. Potential Litigation – Claim of Arturo & Javier Reyes against Hidalgo County**
- C. Potential Litigation – Claim of Elizabeth Bazan against Hidalgo County**
- D. Potential Litigation – Claim of Lance Walker against Hidalgo County**

Upon return, Commissioner Rosel certified that NO ACTION was taken during Executive Session.

14. Open Session: (SEE EXHIBIT O)

A. Real Estate Acquisition

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

B. Potential Litigation – Claim of Arturo & Javier Reyes against Hidalgo County

NO ACTION on this item.

C. Potential Litigation – Claim of Elizabeth Bazan against Hidalgo County

NO ACTION on this item.

D. Potential Litigation – Claim of Lance Walker against Hidalgo County

NO ACTION on this item.

15. Closed Session:

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

16. Open Session:

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

**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, OCTOBER 24, 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 Handy, seconded by Commissioner Garza, 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. Discharge Permit: (SEE EXHIBIT P)**
 - A. City of McAllen – La Villa Real Subdivision**
- 3. Line item transfer (SEE EXHIBIT Q)**
- 4. Approval of Minutes:**
 - A. August 17, 1999**
 - B. August 24, 1999**
 - C. September 13, 1999**
 - D. October 17, 2000**

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

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DRAINAGE DISTRICT

- 1. Approval of Advance Funding Agreement with TxDot on FM 1427**
(SEE EXHIBIT R)

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

- 2. Approval requesting variance on Linda Vista Estates Lot #40 (Zone A) – Urban County Program**
(SEE EXHIBIT R)

NO ACTION taken on this item.

- 3. Approval requesting exemption from competitive bidding requirements for professional services/engineering services with R. Gutierrez Engineering Corporation**
(SEE EXHIBIT R)

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

- 4. Approval of professional engineering services contract with R. Gutierrez Engineering Corporation for services related to crossing International Boundary and Water Commission Floodway on “I” Road**
(SEE EXHIBIT R)

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

- 5. Approval requesting exemption from competitive bidding requirements from professional services/legal services with Hogan & Hartson, L.L.P.**
(SEE EXHIBIT R)

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

- 6. Approval of professional legal service contract with Hogan & Hartson, L.L.P. related to FEMA**
(SEE EXHIBIT R)

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

7. Approval to purchase Base Master 5106 status and path monitor (back-up)
(SEE EXHIBIT R)

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

8. Purchasing Department: (SEE EXHIBIT S)

A. Requesting authority to advertise an RFQ for Independent Financial Audit Services for Hidalgo County Drainage District's fiscal years 2000 and 2001 with the County's option to include fiscal year 2002

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

**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, OCTOBER 24, 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. Approval to transfer funds from General Fund to Park Fund and appropriate same for payment of Insurance (Bldg., Auto, Other Ins.) - \$ 25,000.00
(SEE EXHIBIT T)**

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

- 2. Approval of budget amendment - \$ 5,000.00 for payment of Insurance – Road & Bridge Acct.
(SEE EXHIBIT U)**

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

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

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ADDENDUM

- 1. Pct. #3:**
 - A. Appointment of Head Start Policy Council Member**

NO ACTION taken on this item.

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

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 _____
COUNTY COMMISSIONER, PRECINCT 4

Dated this the 24th day of October, 2000.

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 7th day of November, 2000.