

REGULAR MEETING – November 13, 2000

BE IT REMEMBERED, that on this 13th day of November, A.D., 2000, 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 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 REGULAR MEETING of the Commissioners' Court will be held on MONDAY, NOVEMBER 13, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Palacios, the Court made a UNANIMOUS vote to approve all items listed under this Consent Agenda, with exception to the following:

Line item # 2/M
Line item # 2/LL
Line item # PP

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

2. Line item transfers:

- A. DPS – Highway Patrol**
- B. J.P. Pct. #2, Pl. 2**
- C. Health Department – T.B.**
- D. Health Department – Immunization**
- E. Sheriff Task Force**
- F. HIDTA Task Force**
- G. District Attorney – Task Force**
- H. Constable Pct. #4**
- I. Pct. #2 – Park**
- J. Pct. #2 – Landfill**
- K. County Clerk**
- L. County Clerk – Rec. Mgmt.**
- M. County Commissioners –** On motion of Commissioner Rosel, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval, pending correction.
- N. County Judge**
- O. Sheriff – COPS More**
- P. Sheriff – Inv. Fund**
- Q. 206th District Court**
- R. County Treasurer**
- S. D.P.S. – License & Weight**
- T. Health Department – Adm.**
- U. Health Department – Mobile Clinic**
- V. Health Department – Title V**
- W. Public Defense**
- X. Planning Department**
- Y. Pct. #3 – Adm.**
- Z. Pct. #3 – R & B (2)**
- AA. Pct. #3 – Landfill (2)**

BB. Pct. #3 – Park (2)
 CC. Pct. #4 – Landfill
 DD. Pct. #4 – R & B
 EE. Constable Pct. #5
 FF. WIC

GG. Historical Commission
 HH. Tax Office

II. Pct. #1 – Park

JJ. Pct. #1 – Adm.

KK. Pct. #1 – R & B

LL. Buildings & Grounds (2) – On motion of Commissioner Garza, seconded by Commissioner Rosel, the Court made a UNANIMOUS vote of approval, pending correction.

MM. Library System

NN. County Court #4

OO. J.P. Pct. #2, Pl. 1 (2)

PP. J.P. Pct. #1, Pl. 1 – NO ACTION taken on this item.

3. **Monthly Fee Reports:** (SEE EXHIBIT B)
 - A. District Clerk - \$ 180,070.51 – October
 - B. District Attorney - \$ 197,521.32 – September
 - C. District Attorney - \$ 177,114.00 - October

4. **Planning Department:** (SEE EXHIBIT C)
 - 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:**
 1. C.R.C. Subdivision – Pct. 1
 - C. **Final Plat Approval with Letter of Credit:**
 1. MT. Davis Estates Phase I – Pct. #4
 2. Pinkston Jr. Subdivision – Pct. #4
 3. Ramseyer Heights Subdivision – Pct. #4
 4. Sunflower Ridge Subdivision – Pct. #4
 - D. **Amended Subdivision:**
 1. Amended Owassa Gardens Mobile Home Subdivision – Pct. #4

5. **Tax Office:** (SEE EXHIBIT D)
 - A. **Tax Refunds:**
 1. Della Leona – Flagstar Bank - \$ 2,554.32
 2. Hector Sanchez - \$ 500.00
 3. Jose F. Aguilar - \$ 2,780.10

6. **Approval of Minutes:** (SEE EXHIBIT E)
 - A. October 26, 1999
 - B. November 8, 1999
 - C. November 16, 1999
 - D. November 23, 1999
 - E. November 30, 1999
 - F. December 7, 1999
 - G. December 13, 1999
 - H. December 16, 1999
 - I. December 27, 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 Commissioners' Court will be held on MONDAY, NOVEMBER 13, 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 Judge Salazar to lead the Court and Audience in reciting the Pledge of Allegiance.

3. Prayer

At this time Judge Salazar joined the Court and Audience in Prayer.

4. Open Forum

No presentations were made under the Open Forum.

5. Tax Office: (SEE EXHIBIT F)

A. Ministerial approval of appropriation in the Special Inventory Fund - \$ 2,500.00 for extra help

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

6. Library System: (SEE EXHIBIT G)

A. Approval of Revised Hidalgo County Library System By-Laws.

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

7. Right of Way: (SEE EXHIBIT H)

A. Authorization requesting exemption from competitive bidding requirements for professional services/engineering services with TEDSI Infrastructure Group, services related to Mile 6 West from SH 107 to US Expressway 83

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

B. Authorization and approval of professional engineering services contract with TEDSI Infrastructure Group

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

8. Palmer Drug Abuse – Barbara Smith: (SEE EXHIBIT I)

A. Request for confiscated drug funds and appropriation of same in the amount of \$ 15,000.00

NO ACTION taken on this item.

9. Purchasing Department: (SEE EXHIBIT J)

A. HIDALGO COUNTY -

1. **Discussion and/or possible action, including, but not limited to the following items:**
 - a) **Present Hidalgo County Jail - Total inmate population:.....810**
 - * **Physical Count.....567**
 - * **La Villa Facility Count.....234**
 - * **Out of County Count.....7 (Frio County)**
2. **New Adult Detention Facility and Law Enforcement Center Project:**
 - a) **Detention Facility and Law Enforcement Design-Build Contract Amendments (if any);**
 - b) **County Auditor's Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval;**

NO REPORT to be made.
 - c) **Report and Recommendations of Owner's Consulting Architect;**

NO REPORT to be made.
3. **Requesting authority to exercise the termination clause (Article 1.3) as provided in the current lease with Justice of the Peace Arnoldo Corpus, Precinct #3, Place #1, effective of 12/31/00 but in no event later than 01/14/01.**

On motion of Commissioner Rosel, seconded by Commissioner Garza, the Court made a UNANIMOUS vote of approval.
4. **Requesting authority to advertise an RFQ&P for "Professional Consulting Services in the area of Worker's Compensation Insurance for Hidalgo County".**

On motion of Commissioner Garza, seconded by Commissioner Rosel, the Court made a UNANIMOUS vote of approval.
5. **Requesting authority to exercise the sixty (60) day grace period option under the current contract with "Discount Oils, Lubricants & Fuels" for "Gasoline, On & Off Highway Diesel Fuel Products" so as not to have a lapse in service & allow the bid process to be completed.**

On motion of Commissioner Rosel, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval.
6. **Authority to exercise termination notices under the current lease agreements listed below for the Hidalgo County Library System.**
 - a) **D & R General Cleaning**
 - b) **Valley Bottle Water**
 - c) **Southwestern Bell**
 - d) **AT & T**
 - e) **Valley Tech**
 - f) **International Copier Corp.**

On motion of Commissioner Rosel, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote of approval.
7. **Acceptance and approval of the sole response received to the RFQ in connection with "Title Report Services" for Hidalgo County from South Texas Land Investigations as "Qualified".**

On motion of Commissioner Handy, seconded by Commissioner Rosel, the Court made a UNANIMOUS vote of approval.
8. **Acceptance and approval of claims from South Texas Land Investigations *Exhibit A attached hereto) for title report services rendered in connection with the rights of way parcel acquisitions* in the amount of \$13,300.00.**

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

9. **Authorization for Auditor to pay claims from South Texas Land Investigations in the amount of \$13,300.00.**

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

10. **Requesting authority to advertise an RFQ&P for the establishment of a “pool” of “title companies” for title policy services for Hidalgo County.**

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

B. HIDALGO COUNTY PRECINCT NO. 1 -

1. **Requesting exemption from competitive bidding requirements for Professional Services/Water Quality Monitoring Services as mandated by the Texas Natural Resources Conservation Commission for the Delta Lake Wastewater Treatment Plant Operations with Agustin Gomez, a Licensed Wastewater Treatment Plant Operator.**

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

2. **Requesting approval of a service contract with Mr. Agustin Gomez, a licensed Wastewater Treatment Plant Operator.**

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

3. **Requesting acceptance and approval of a claim for \$650.00, due to lapse in contract period from Agustin Gomez.**

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

4. **Authority for Auditor to pay invoice referenced above to Mr. Agustin Gomez in the amount of \$650.00.**

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

C. HIDALGO COUNTY PRECINCT NO. 3 -

1. **Acceptance of a cost-share contribution in the amount of \$32,191.02 from the City of Palmhurst (from Urban County CDBG funds for Year 1999) for street & drainage improvements awarded to Sascon, Inc. (under Pct. 3's road and bridge for street improvements and Urban County CDBG funds for the drainage improvements).**

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

2. **Recommending to reject all bids for “Street Improvements-Tom Gill Rd, County Rd., Salinas Rd., & Rodriguez Rd.”**

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

D. HIDALGO COUNTY HEALTH DEPARTMENT -

1. **Requesting exemption from the competitive bidding requirements under the Texas Local Government Code 262.024 (c) for Professional/ Pharmacist Services with David Castro, a licensed professional.**

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

2. **Requesting approval for Professional Service Contract with David Castro.**

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

E. HIDALGO COUNTY SHERIFF'S DEPARTMENT -

1. **Requesting one (1) 2000 Ford Expedition (Asset #033996) which was totaled in an accident, be declared surplus for disposition, be removed from inventory, and acceptance of Salvage Bid from Texas Association of Counties in the amount of \$5,150.00.**

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

10. County Judge: (SEE EXHIBIT K)

- A. **Approval of Resolution of the Commissioners' Court of the County of Hidalgo, redesignating the official name of Farm to Market (F.M.) 2894 to State Highway (S.H.) 364 between F.M. 2221 and F.M. 1924 (Mile 3 Rd.), a distance of approximately four miles**

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

11. Urban County: (SEE EXHIBIT L)

- A. **Approval of a Professional Service Contract with R.E. Garcia & Associates – City of Donna – Water/Sewer Improvements – UC Year 11 (1998)**

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

- B. **Pct. #3 – Approval of program & budget amendment for Year 13 (2000)**

NO ACTION taken on this item.

- C. **Approval of a Sub-recipient Agreement with CASA of Hidalgo County, Inc. – Pct. #3 – Abused & Neglected Children – UC Year 13 (2000)**

NO ACTION taken on this item.

- D. **Approval of Sub-recipient Agreement with Amigos Del Valle, Inc. – Pct. #3 – Senior Services – UC Year 13 (2000)**

NO ACTION taken on this item.

E. Approval of Change Order #3 for Sascon, Inc. – City of Mercedes – Street Improvements – UC Years 10, 11 & 12 (1997, 1998, 1999)

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

F. Approval of budget and program amendments – City of San Juan – UC Years 11, 12 & 13 (1998, 1999 & 2000)

NO ACTION taken on this item.

G. Approval of budget and program amendments – City of Weslaco – UC Year 13 (2000)

NO ACTION taken on this item.

H. Approval of a Professional Services Contract with Quintanilla, Headley & Associates, Inc. – Pct. #4 – Street Improvements – UC Year 13 (2000)

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

I. City of Alton – Approval of a program & budget amendment for Year 12 (1999) & Year 13 (2000)

NO ACTION taken on this item.

J. HOME “First-Time Homebuyer Contract Agreement” and Letter of Commitment to Mortgage Company (1 Family)

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

K. Approval to amend the Professional Services Contract with Quintanilla, Headley & Associates, Inc. – Pct. #4 – Street Improvements – UC Year 11 (1998)

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

12. Planning Department: (SEE EXHIBIT M)

A. Preliminary Plat Approval:

1. Sioux Road Mobile Home Park – Pct. #2

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

2. Harrah’s Estates Subdivision – Pct. #4

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

13. Closed Session: (SEE EXHIBIT N)

On motion of Commissioner Rosel, seconded by Commissioner Garza, 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, Section 551.071 to discuss the following:

- A. VOCAM S.E. Inc. vs. Hidalgo County**
- B. Claim against Hidalgo County (Walter Kaunach vs. Hidalgo County)**

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

14. Open Session: (SEE EXHIBIT N)

- A. VOCAM S.E. Inc. vs. Hidalgo County**

NO ACTION taken on this item.

- B. Claim against Hidalgo County (Walter Kaunach vs. Hidalgo County)**

NO ACTION taken on this item.

15. Closed Session:

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

NO ACTION taken on this item.

16. 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 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, NOVEMBER 13, 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.

DRAINAGE DISTRICT

- 1. Approval of check register and payment of claims and bills - County Auditor**
- 2. Approval of Minutes: (SEE EXHIBIT E)**
 - A. October 26, 1999**
 - B. November 8, 1999**
 - C. November 16, 1999**
 - D. November 23, 1999**
 - E. November 30, 1999**
 - F. December 7, 1999**
 - G. December 13, 1999**
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 - I. December 27, 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, NOVEMBER 13, 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 create one (1) Right of Way Agent Level I position
(SEE EXHIBIT O)**

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

**2. Authorization to set salary and appropriate funds
(SEE EXHIBIT O)**

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

3. Purchasing Department: (SEE EXHIBIT P)

A. Requesting approval for Change Order Number One for “An Extension of the Mission Lateral to the Palmview Lateral” with Border Contractors, Inc. in the amount of \$3,500.00.

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

B. Requesting authority to exercise the sixty (60) day grace under current contract with “Discount Oils, Lubricants, & Fuels” for “Gasoline, On & Off Highway Diesel Fuel Products” so as not to have a lapse in service & allow the bid process to be completed.

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

C. Requesting to reject all bids received for: “One (1) 2000 or Newer Hauling Truck” as a result of a directive received from the Hidalgo County Board of Directors for Drainage District #1 on Tuesday, November 07, 2000

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

D. Requesting authority to re-advertise for: “One (1) 2000 or Newer Hauling Truck”

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

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

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 November, 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 21st day of November, 2000.