

SPECIAL MEETING – DECEMBER 28, 2000

BE IT REMEMBERED, that on this 28th day of December, 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 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 THURSDAY, DECEMBER 28, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Garza, seconded by Commissioner Palacios, the Court made a UNANIMOUS vote to approve all items listed under this Consent Agenda, with exception to the following items:

Line item # 2/Q
Line item # 2/R
Line item # 2/W

- 1. Approval of check register and payment of claims and bills - County Auditor**
(SEE EXHIBIT A)
- 2. Line item transfers: (SEE EXHIBIT A)**
 - A. County Treasurer**
 - B. Right of Way (4)**
 - C. Purchasing Department**
 - D. Pct. #1 – Sanitation (2)**
 - E. Pct. #3 – Landfill (2)**
 - F. Pct. #3 – Adm.**
 - G. Pct. #4 – Landfill**
 - H. Pct. #4 – R & B**
 - I. J.P. Pct. #5, Pl. 1**
 - J. D.P.S. – License & Weight**
 - K. County Clerk**
 - L. County Judge – Adm.**
 - M. Tax Office**
 - N. Extension Service**
 - O. WIC FY 2000**
 - P. WIC FY 2001**
 - Q. Health Department –** On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval, with appropriate corrections made as stated before this Court.
 - R. Health Department – Sanitation –** On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval, with appropriate corrections made as stated before this Court.
 - S. Health Department – Clinics (2)**
 - T. Health Department – Adm.**
 - U. Constable Pct. #5**
 - V. Constable Pct. #2**

W. J.P. Pct. # 1, Pl. 1 – On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval, with appropriate corrections made as stated before this Court.

- X. District Attorney – Inv. Fund (2)**
- Y. District Attorney – Checks Acct.**
- Z. District Attorney – Aid to Law Enf. Agency**
- AA. Library System**
- BB. Pct. #1**
- CC. Pct. #1 – Parks**

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) → 20**
- **Certificates of Residence Construction under Local Government Code Section 232.029 (c)(1) → 2**
- **Certificates of Water Service Availability under Local Government Code Section (c)(2) → 5**

4. Health Department: (SEE EXHIBIT C)

A. Release of the Letter of Credit:

- 1. Sunflower Ridge Subdivision**

5. Right of Way – Permits: (EXHIBIT D)

A. Pct. #1:

- Shell Western E & P – Intersection of 681 & 490**
- North Alamo Water Supply – Mile 6 West north side of Mile 16N – Mile 16 Project**
- North Alamo Water Supply – Mile 4 West – Garcia Project**
- North Alamo Water Supply – west of FM 88 – Adan Loza**

B. Pct. #4:

- Southwestern Bell – El Pinto Rd. south of Ebony Street**
- Southwestern Bell – Anderson Rd. north of Val Verde**
- Coastal Oil & Gas USA, L.P. – Moorefield Rd. and 14 Mile**

6. Tax Office: (SEE EXHIBIT E)

- A. Tax Refunds – Circuit City - \$ 25,879.44**
- B. Tax Refunds – Circuit City - \$ 25,155.83**

7. Approval of Minutes:

- A. June 12, 2000**
- B. July 05, 2000**
- C. July 12, 2000**
- D. December 11, 2000**
- E. December 19, 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 THURSDAY, DECEMBER 28, 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 present with the exception of Judge Pulido. Commissioner Juan Rosel respectfully lead this day's meeting in place of Judge Pulido. Also, Legal Council David Gerault respectfully stood in place of Legal Council Stephen Crain for this day's meeting.

2. Pledge of Allegiance

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

3. Prayer

At this time Commissioner Rosel called on Alamo City Mayor, Rudy Villarreal, to join together the Court and Audience in Prayer.

4. Open Forum

No presentations were made under the Open Forum.

5. Approval of Official Bonds: (SEE EXHIBIT F)

A. Gilbert Saenz – J.P. Pct. #1, Pl. 1

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

6. County Judge: (SEE EXHIBIT G)

A. Budget amendment - \$ 2,400.00 (Buildings & Grounds Acct.) for Bldg. Maint.

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

7. **Urban County:** (SEE EXHIBIT H)

A. Approval of a Construction Contract with Wilson Construction – City of Alamo – Youth Centers (Gymnasium) – UCP Year 10 (1997)

A motion was made by Commissioner Palacios and seconded by Commissioner Rosel, that the Contract with the second low bidder not be approved, HOWEVER, that the City of Alamo reconsider all the bids, and that this Commissioners' Court recommends to the City of Alamo that all bids be rejected, and that this bid be reissued. A split vote resulted, with specific votes as follow:

AYE: Commissioners Palacios and Rosel

NAY: Commissioners Garza and Handy

Discussion regarding this issue resumed.

A motion was made by Commissioner Handy, seconded by Commissioner Garza, to approve the Contract with Wilson Construction. A split vote resulted, with specific votes as follow:

AYE: Commissioners Handy and Garza

NAY: Commissioners Palacios and Rosel.

Immediately following the previous vote, a motion was made by Commissioner Garza, seconded by Commissioner Handy, to remit [the Contract] back to the City [of Alamo]. The Court made a UNANIMOUS vote of approval.

8. **Line item transfers:** (SEE EXHIBIT I)

A. 206th District Court

B. 370th District Court

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

9. **Purchasing Department:** (SEE EXHIBIT J)

A. Pct. #3:

1. Recommending award of bid for the Paving of Botello Subdivision and the Overlay of Regal Subdivision to bidder meeting all specifications

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

NO VOTE: Commissioner Handy (temporarily away from Court)

2. Requesting approval of a contract for the Paving of Botello Subdivision and the Overlay of Regal Subdivision to the bidder awarded on item above

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

NO VOTE: Commissioner Handy (temporarily away from Court)

10. **Elections Administration:** (SEE EXHIBIT K)

A. Budget amendment - \$ 13,336.04 (for fringe benefits & pending bills)

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

NO VOTE: Commissioner Handy (temporarily away from Court)

11. **County Auditor:** (SEE EXHIBIT L)

A. Approval to increase the Standard Mileage Rate from 32.5 cents per mile up to 34.5

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

12. Closed Session: (SEE EXHIBIT M)

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. Cause No. T-197-98-A; La Joya ISD, Hidalgo-Kenedy County Education District No. 10, South Texas Community College and Hidalgo County vs. A.C. Rogers

NO ACTION taken on this item, as no Executive Session was held.

13. Open Session: (SEE EXHIBIT M)

A. Real Estate Acquisition

B. Cause No. T-197-98-A; La Joya ISD, Hidalgo-Kenedy County Education District No. 10, South Texas Community College and Hidalgo County vs. A.C. Rogers

NO ACTION taken on this item, as no Executive Session was held.

14. Closed Session:

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

NO ACTION taken on this item.

15. 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 THURSDAY, DECEMBER 28, 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 all items listed under this Consent Agenda.

DRAINAGE DISTRICT

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT A)**
- 2. Approval of Minutes:**
 - A. June 12, 2000**
 - B. July 05, 2000**
 - C. July 12, 2000**
 - D. December 11, 2000**
 - E. December 19, 2000**
- 3. Line item transfers (SEE EXHIBIT N)**

**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 THURSDAY, DECEMBER 28, 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. Approval to transfer \$ 3,500.00 from maintenance and operations to CIP (Granjeno) to cover increase on Change Order #1 – (approved 11/28/00)
(SEE EXHIBIT O)**

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

- 2. County Auditor: (SEE EXHIBIT P)
A. Approval to increase the Standard Mileage Rate from 32.5 cents per mile up to 34.5**

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

- 3. Closed Session: (SEE EXHIBIT Q)**

On motion of Commissioner Garza, seconded by Commissioner Handy, 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. Consultation with Attorney regarding potential litigation against Federal Emergency Management Agency (FEMA)**

NO RECORD of action or nonaction exists for this item.

- 4. Open Session: (SEE EXHIBIT Q)**

- A. Consultation with Attorney regarding potential litigation against Federal Emergency Management Agency (FEMA)**

On motion of Commissioner Garza, seconded by Commissioner Handy, the Court made a UNANIMOUS vote of approval, that Godfrey Garza, Drainage District Manager, is to enter into (inaudible) with Hartz & Hogan, and to report to the Court before the next meeting.

5. Closed Session:

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

NO ACTION taken on this item.

6. 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 Handy, seconded by Commissioner Palacios, 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 SPECIAL MEETING of the Drainage District #1 Board of Directors will be held on THURSDAY, DECEMBER 28, 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
ADDENDUM**

- 1. Requesting exemption from competitive bidding requirements for professional services with the firm of Estrada-Hinojosa, Financial Advisors (SEE EXHIBIT R)**

NO ACTION taken on this item.

- 2. Authorization to enter into Contract for professional services with the firm of Estrada-Hinojosa (SEE EXHIBIT R)**

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 _____ **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 28th day of December, 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 2nd day of January, 2001.