

REGULAR MEETING – APRIL 10, 2001

BE IT REMEMBERED, that on this 10th day of April, A.D., 2001, 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 JOSE FLORES	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 **TUESDAY, APRIL 10, 2001, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 the exception of line items 2H and 2K.

1. **Approval of check register and payment of claims and bills - County Auditor**
2. **Line item transfers: (SEE EXHIBIT A)**
 - A. **D.P.S. – Highway Patrol**
 - B. **Buildings & Grounds**
 - C. **Courthouse Security**
 - D. **Juvenile Justice Court**
 - E. **Health Department – Clinics**
 - F. **Pct. #1 – Park**
 - G. **Pct. #1 – R & B**
 - H. **Library System** – Correction made, on motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a **UNANIMOUS** vote of approval.
 - I. **District Attorney – Inv. Fund**
 - J. **Pct. #3 – Park**
 - K. **County Treasurer** – Correction made, on motion of Commissioner Handy, seconded by Commissioner Garza, the Court made a **UNANIMOUS** vote of approval.
 - L. **Human Services**
 - M. **J.P. Pct. #2, Pl. 1**
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)**
 - **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)**
4. **Right of Way – Permits: (SEE EXHIBIT C)**
 - A. **North Alamo Water Supply – south of Business 83 on Valley View Road**
 - B. **North Alamo Water Supply – Mile 19 north on Filegonia Rd.**
 - C. **City of Mission – west right of way of Stewart Rd.**
 - D. **Shell Exploration & Production Co. – FM 490 at FM 681 then east .6 miles**
 - E. **Shell Exploration & Production Co. – FM 490 & FM 681 intersection on FM 2058 then east**
 - F. **Western Geco – FM 490 & FM 1921**
 - G. **North Alamo Water Supply – Mile 14 ½ SS/E Mile 6 West**

5. Monthly Collections Report – February: (SEE EXHIBIT D)

A. J.P. Palacios	\$ 24,650.11
B. J.P. Espinoza	\$ 36,534.73
C. J.P. Morales	\$ 17,762.15
D. J.P. Ochoa	\$ 40,593.37
E. J.P. Saenz	\$ 33,618.09
F. J.P. Trevino	\$ 33,756.38
G. J.P. Garza	\$ 24,954.14
H. J.P. Contreras	\$ 16,949.10
I. J.P. Jackson	\$ 20,461.
J. Law Library	\$ 1,146.00
K. Sheriff Escalon	\$ 31,488.53
L. Anzalduas Park	\$ 2,454.35
M. Delta Lake	\$ 2,536.00
N. Constable Aguirre	\$ 1,430.00
O. Constable Alaniz	\$ 1,590.00
P. Constable Gallardo	\$ 4,420.00
Q. Constable Cerda	\$ 1,420.00
R. Constable Bazan	\$ 670.00
S. County Clerk	\$473,671.70

6. Urban County: (SEE EXHIBIT E)

- A. HOME “First-Time Homebuyer Contract Agreement” and Letter of Commitment to Mortgage Company (3 Families)**

7. Tax Refunds: (SEE EXHIBIT F)

A. Ruth Bostick	\$ 1,321.46
B. Rakefet Properties	\$ 4,478.52
B. First Nationwide Mortgage	\$ 985.37
C. Leal’s Land Developments	\$ 916.70
D. Socorro Jaramillo Jara	\$ 776.23
E. Richard A. Garza	\$ 611.18

8. Approval of Minutes: (SEE EXHIBIT G)

- A. April 03, 2001**

9. Purchasing Department: (SEE EXHIBIT H)

A. HIDALGO COUNTY ADULT PROBATION -

Requesting approval of a maintenance agreement for a copier from Xerox Corporation for \$2,096.00 for 8 months. Effective January 22, 2001 thru August 22, 2001.

B. HIDALGO COUNTY AUDITOR’S OFFICE -

Requesting approval of a maintenance contract for a copier from Jones & Cook Stationers for \$2,122.17 per year. Effective April 10, 2001 thru April 9, 2002.

C. HIDALGO COUNTY YOUTH VILLAGE -

Requesting approval of a maintenance contract for a telephone system from Lucent Technologies, Inc. for \$590.90 per year. Effective April 10, 2001 thru April 9, 2002.

**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 TUESDAY, APRIL 10, 2001 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

At this time Judge Pulido called on Monica Badillo the lead the Court and Audience in reciting the Pledge of Allegiance.

3. Prayer

Father Steve led the Court and Audience in Prayer.

4. Open Forum

Mr. Jose Juarez from Avance made a presentation on outreach programs for children.

5. District Attorney: (SEE EXHIBIT I)

A. Approval of Resolution for the District Attorney's Office to submit a grant application to the Office of the Attorney General for the State of Texas for the renewal of the Crime Victim Coordinator position

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

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

A. Approval of budget amendment

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

7. Sheriff Department: (SEE EXHIBIT K)

A. Approval to appropriate monies received from Weslaco ISD in Acct. #1-010-421-100.27 (clothing & uniforms)

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

B. Approval to appropriate monies received on seizure awards in the Sheriff's Inv. Fund 104

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

C. Approval to appropriate monies received from Mercedes ISD in Acct. #1-010-421-100.27 (clothing & uniforms)

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

8. Health Department: (SEE EXHIBIT L)

A. Request authorization to renew our Title V Grant with the Texas Department of Health

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

9. County Auditor: (SEE EXHIBIT M)

A. Approve amendment to contracts #C-00-186-11-21 and C-01-072-03-13 and assignment of payment to Lone Star National Bank

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

10. D.P.S. – Highway Patrol: (SEE EXHIBIT N)

A. Approval of overtime payment in the amount of \$ 378.94 for one employee (hours earned due to vacancy in the department)

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

11. Head Start: (SEE EXHIBIT O)

A. Recommending award of bid #2001-03-06-04 “North San Juan Head Start Center”

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

B. Recommending approval on contract for bid #2001-03-06-04 “North San Juan Head Start Center”

NO ACTION taken on this item.

12. Urban County: (SEE EXHIBIT P)

A. Approval of Proclamation declaring CDBG Week 2001

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

B. Approval of a Program Amendment – City of Edcouch – UC Year 10 (1997), Year 11 (1998)

NO ACTION taken on this item.

C. Approval of a Budget & Program Amendment – City of Elsa – UC Year 13 (2000)

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

D. Approval of Sub-recipient Agreement with La Joya Housing Authority Boys & Girls Club – City of La Joya – Youth Services – UCP Year 13 (2000)

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

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E. Approval of a Construction Contract with Sascon, Inc. – City of Granjeno – Street Improvements – UC Year 9 (1996), Year 10 (1997), Year 12 (1999) & Year 13 (2000)

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

F. HOME Homeowner Occupied Housing Rehab Applications (2 Families) City of San Juan

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

13. Human Services: (SEE EXHIBIT Q)

A. Discuss Indigent Health Care expenditures, state and local funding and consider taking action to discontinue operating the program for the remainder of the fiscal year or consider modifying services currently being provided

NO ACTION taken on this item.

14. Right of Way: (SEE EXHIBIT R)

A. Approval to unappropriate \$ 280,000.00 in the County Wide Road & Bridge Fund (engineering) Acct. #1-020-431-200.42

NO ACTION taken on this item.

B. Approval of loan in the amount of \$ 280,000.00 from the County Wide Road & Bridge Fund to the Capital Improvements Plan Fund No. 701 and appropriate same for engineering service – Mile 6 Project

NO ACTION taken on this item.

15. Pct. #3: (SEE EXHIBIT S)

A. Presentation by Valley Interfaith on Living Wage Agreement by Hidalgo County Commissioners' Court related to establishing a minimum base salary of \$ 7.50 per hour

Presentation made.

B. Discussion and approval to implement the commitment provisions of the Hidalgo County Labor Wage Policy as the budget process for 2002 unfolds

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a 4 to 1 vote of approval.

AYE: Commissioners Handy, Flores, Garza and Palacios

NAY: Judge Pulido.

16. County Judge: (SEE EXHIBIT T)

A. Approval of updated job position titles to coincide with existing duties and responsibilities for such position within the following departments

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

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B. Approval of job descriptions for positions within the following departments:

County Judge's Office	Buildings & Grounds	Planning Department	District Clerk
R & B Administration	Minor Structures	Veterans Department	District Clerk (c.support)
Indigent Public Defense	Constables 1-5	Fire Marshal	Tax Office
Courthouse Security	Child Welfare	Computer Department	Purchasing Department
Elections Department	Law Library	Treasurer's Office	Human Services
Health – Adm.	Health – Clinic	Sheriff – Enforcement Pct. #3	(Landfill)
Health – Environmental	Health – Mobile Clinic	Sheriff – Detention	Personnel
			Civil Service

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

C. Approval of updated job position titles to coincide with existing duties and responsibilities for such position within the following departments

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

D. Approval of job descriptions for positions within the following departments:

**All Justice of the Peace
Roving Clerks
Master Courts**

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

E. Approval to pay membership dues to Amigos Del Valle, Inc. \$ 3,500.00 (funds already budgeted)

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

17. Purchasing Department: (SEE EXHIBIT U)

A. HIDALGO COUNTY -

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

Present Hidalgo County Jail-Total inmate population: ---- 791

X **Physical Count ----- 554**

X **La Villa Facility Count --- 158**

X **Out of County Count ----- 79 Frio County**

2. Current contract for the Housing of Inmates

Nothing to report on this item.

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

a) Detention Facility Law Enforcement Center Design-Build Contract Amendments (if any)

1) Clarification (for purposes of the record) as to Amendment No. 4 approved on Commissioners' Court agenda 04-03-01 in connection with the new approved limits on Automobile Liability applies to all subcontractors.

Report made.

- b) **Acceptance, approval and authority for Auditor to pay Application and Certificate for Payment No. 7 (dated 03-30-01) by Landmark Organization, L.P. in the amount of \$1,688,091.61 with all applicable documentation provided**

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

- c) **County Auditor's Report on Detention Facility Law Enforcement Center Project paid and pending payment request approval;**

NO ACTION taken on this item.

- d) **Report and Recommendation of Owner's Consulting Architect:**

NO ACTION taken on this item.

At this time Judge Pulido requested to go to item # 17D due to leaving the Court.

- 4. **Presentation and acceptance of roster (as listed in the RFQ Acceptance Sheet attached hereto) of Appraisers and Surveyors Pool of pre-qualified firms submitting Statements of Qualifications for ranking on an as-needed basis per project by all County's departments requiring said services as set forth in the requirements stated in the County's Request for Qualifications packet.**

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

NO VOTE: Judge Pulido, left the Court.

- 5. **Requesting authority to advertise for: Renovations of the Hidalgo County Courthouse Basement project to be carried by Alcoser and Associates.**

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

NO VOTE: Judge Pulido, left the Court.

- 6. **Requesting authority to advertise: Hidalgo County Precinct No. 1 for: Road & Bridge:**

- a) **One (1) New 2001 Double Drum Vibratory Compactor**
- b) **One (1) New 2001 Smooth Drum Vibratory Compactor**
- c) **One (1) New 2001 Nine Wheel Pneumatic Roller**

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

NO VOTE: Judge Pulido, left the Court.

1. **Requesting authority to purchase the following vehicles the Inter-local Agreement with Houston-Galveston Area Council (H-GAC). Vendor is Philpott Motors, from Port Neches, Texas. H-GAC Fees and Delivery charge already included. Amounts not to exceed.**

ROAD & BRIDGE:

Bid No. 01-78- Two (2) 2001 Ford F250 Crew Cab V-8 Diesel-4x4 Trucks for \$ 29,390.08 ea.

Total \$ 58,781.96.

Bid No. 01-79- One (1) 2001 Ranger V-6 LWB Truck for \$ 12,624.82.

Bid No. 01-81- One (1) 2001 F150 Supercab V-8 LWB Truck for \$ 18,731.99.

SANITATION DEPARTMENT:

Bid No. 01-82 - One (1) 2001 F150 Supercab V-8 LWB Truck for \$ 18,731.99.

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

NO VOTE: Judge Pulido, left the Court.

C. HIDALGO COUNTY PRECINCT NO. 4 -

1. **Requesting authority to advertise for: The Hauling of Approximately 45,000.00 Cubic Yards of Solid Waste From Hidalgo County Precinct No. 4's Landfill to The City of Edinburg Landfill**

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

NO VOTE: Judge Pulido, left the Court.

D. HIDALGO COUNTY CONSTABLES -

1. **Approval of loan to the Capital Projects Fund 701 in the amount of \$312,605.06 with the intent to reimburse from Series 2001 Certificates of Obligation and appropriate same for the purchase of law enforcement vehicles:**

CONTABLES:	15 Crown Victorias	\$311,275.80
	HGAC Fees	<u>1,329.20</u>
		<u>\$312,605.06</u>

On motion of Commissioner Handy, seconded by Commissioner Flores, the Court made a 4 to 1 vote of approval.

AYE: Judge Pulido, Commissioners Flores, Handy and Palacios

NAY: Commissioner Garza

Judge Pulido left the Court at this time.

2. **Requesting authority to purchase through the Inter-local Agreement with the Houston-Galveston Area Council, Philpott Ford, Nederland, Texas. Total cost of the all vehicles \$312,605.00 which includes H-GAC administrative fee and delivery charges.**

On motion of Commissioner Flores, seconded by Commissioner Handy, the Court made a 3 to 1 vote of approval.

AYE: Commissioners Flores, Handy, and Palacios

NAY: Commissioner Garza

NO VOTE: Judge Pulido, left the Court.

Agenda
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E. HIDALGO COUNTY W.I.C. PROGRAM -

1. **Requesting authority to advertise & approval of specifications as attached hereto for:**

Rental of Office Space-City of San Juan

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

NO VOTE: Judge Pulido, left the Court.

Rental of Office Space-City of Mission

NO ACTION taken on this item.

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

18. Closed Session: (SEE EXHIBIT V)

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

NO ACTION taken on this item.

B. Potential Litigation

NO ACTION taken on this item.

19. Open Session:

A. Real Estate Acquisition

NO ACTION taken on this item.

B. Potential Litigation

NO ACTION taken on this item.

20. Closed Session:

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

NO ACTION taken on this item.

21. 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 Garza, seconded by Commissioner Flores, the Court made a UNANIMOUS vote of approval to adjourn.

**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 TUESDAY, APRIL 10, 2001 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

On motion of Commissioner Palacios, seconded by Commissioner Flores, the Court made a UNANIMOUS vote to approve all items listed under the Drainage District Consent Agenda.

- 1. Approval of check register and payment of claims and bills - County Auditor (SEE EXHIBIT W)**
- 2. Approval of Minutes:**
 - A. April 03, 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 Drainage District #1 Board of Directors will be held on TUESDAY, APRIL 10, 2001 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

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

1. Closed Session: (SEE EXHIBIT X)

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

A. Real Estate Acquisition

NO ACTION taken on this item.

2. Open Session:

A. Real Estate Acquisition

NO ACTION taken on this item.

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.

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

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

JOSE FLORES _____
COUNTY COMMISSIONER, PRECINCT 3

OSCAR L. GARZA _____
COUNTY COMMISSIONER, PRECINCT 4

Dated this the 10TH day of April, 2001

**JUAN D. SALINAS, III, County Clerk
Hidalgo County, Texas**

By: _____
Norma Garza, Deputy

Minutes approved by the Commissioners' Court and the Drainage District #1 Board on the 17th day of April, 2001.