

The Honorable Abelardo "Lalo" Arcaute, Pct. 2 Commissioner, called this meeting to order, whereupon the following items were had to wit:

**CONSENT AGENDA**

<b>ITEM 1. APPROVAL OF BILLS</b>	<b>- COUNTY AUDITOR</b>
GENERAL FUND	- #121643 - #121832 - \$1,961,943.27
SPECIAL REVENUE FUND	- #121228 - #121412 - \$ 863,194.07
DEBT SERVICE FUND	- # 1018 - # 1019 - \$ 6,533.68
CAPITAL PROJECTS FUND	- # 4721 - # 4722 - \$ 17,364.00
TRUST AND AGENCY FUND	- # 5583 - # 5584 - \$ 476,424.01
ENTERPRISE FUND	- # 2726 - # 2728 - \$ 10,356.59

**(SEE EXHIBIT A)**

**ITEM 2. APPROVAL OF MINUTES - DECEMBER 19, 1995**

**(NO EXHIBIT)**

**ITEM 3. APPROVAL OF ATTORNEY'S FEES - \$7,460.00**

**(SEE EXHIBIT B)**

**ITEM 4. APPROVAL OF COURT REPORTER'S FEES:**

- A. MAGDALENA HINOJOSA - \$1,027.00
- B. BEN PETTY - \$ 699.00

**(SEE EXHIBIT C)**

**ITEM 5. APPROVAL OF MONTHLY FEE REPORTS:**

- A. SHERIFF'S DEPARTMENT - \$98,469.58 - MAY

**(SEE EXHIBIT D)**

**ITEM 6. PLANNING DEPARTMENT:**

- A. SUBDIVISIONS:
  - 1. CRENSHAW SUBDIVISION UNIT NO. 3 - PCT. 1
  - 2. TEJAS CUATRO SUBDIVISION - PCT. 1
  - 3. VAL VERDE SUBDIVISION - PCT. 1

**(SEE EXHIBIT E)**

**ITEM 7. PERMITS:**

- A. SOUTHWESTERN BELL TELEPHONE COMPANY - PCT. 1 & 4
- B. NORTH ALAMO WATER SUPPLY CORPORATION - PCT. 1 & 4
- C. RICARDO BANUELOS

**(SEE EXHIBIT F)**

**ITEM 8. INTERNAL LINE ITEM TRANSFERS**

- A. PCT. 1 - PAVED/UNPAVED - \$ 600.00
- B. PCT. 1 - PARKS - \$ 2,000.00
- C. 206<sup>TH</sup> DISTRICT COURT - \$ 400.00
- D. COUNTY EXTENSION SERVICE - \$ 1,400.00
- E. CONSTABLE PCT. 4 - \$ 100.00
- F. SHERIFF'S DEPARTMENT - \$ 1,000.00
- G. ELECTIONS ADMINISTRATION - \$ 2,000.00
- H. BUILDINGS AND GROUNDS - \$ 200.00
- I. CONSTABLE PCT. 3 - NO ACTION
- J. COUNTY TREASURER - \$ 232.00
- K. HEALTH DEPARTMENT - SANITATION - \$ 3,000.00
- L. HEALTH DEPARTMENT - CLINICS - \$ 5,600.00

M. COUNTY JUDGE - \$ 695.00  
 N. JUVENILE PROBATION - STATE FUNDS - \$51,536.46

**(SEE EXHIBIT B)**

Commissioner Arcaute opened the meeting by stating that Judge Ruiz would not be at this meeting due to him being out of town meeting. He stated that there will not be a meeting the following week. Following a moment of silence for the fallen, Ramiro Guerra, Commissioner Arcaute went on with the Consent Agenda. He stated that there were some changes under item 8 with regard to 8A in pct. 1. Instead of Administration, it should be Paved/Unpaved and 8I is a no action. After those comments, a motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the Consent Agenda as amended.

**MOTION CARRIED  
 (SEE EXHIBITS A-G)**

**EXECUTIVE AGENDA**

**ITEM 1. CLOSED SESSION:  
 COMMISSIONER'S COURT MAY GO INTO CLOSED SESSION PURSUANT TO  
 CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.071 TO DISCUSS  
 THE FOLLOWING MATTER:**

**A. ORDAZ VS. HIDALGO COUNTY**

At this time, the Commission retired into Executive Session.

**ITEM 2. OPEN SESSION:  
 A. ORDAZ VS. HIDALGO COUNTY**

**2A  
 NO ACTION**

**REGULAR AGENDA**

**ITEM 1. DISCUSSION OF PETITION RELATED TO PROPOSED LEASE AGREEMENT JAIME  
 MONTES**

Commissioner Rosel commenced this discussion by stating that he will not participate in any action due to this pertaining to the bid for the lease agreement with the City of Mission in which his mother owns the building. Jaime Montes addressed the Court and stated that this was to voice objections to the lease agreement with Mrs. F. Rosel. He feel that this should not be done because it is a matter of nepotism. Even if is not, he and his classmates do not feel it is fair of the elected officials' families to have any type of agreements with the County. Steve Crain then addressed the Court and stated that the nepotism law does not prohibit a governing body from contracting with relatives who otherwise would be prohibited from accepting employment or appointment by the Commission. They only come into play if there has been an appointment to an office or employment. They have to do with employment with the County or Governing body which is seeking the appointment. There are also statutes that prohibit awarding or voting on contracts to relatives. Those statutes are codified with respect to the County is chapter 171 of local government code. They provide that they disclose their interest and they do not vote, discuss or participate in the vote to award the contract. An affidavit must be filed to that affect. He was under the impression that an affidavit was filed in this case and that he did not participate in anyway in this matter. Therefore, he does not see any violation of this law. He elaborated further that even if the interested party had participated, at most the contract can be voided. The

next step to determine if it can be voided is whether or not that contract would have passed without the vote of that party. In this case it would have because at that time, the vote was 4-0. Mr. Montes still felt that whether or not this was nepotism, it still was not fair. At this time, the Commission moved on to the next item.

**NO ACTION  
(SEE EXHIBIT H)**

**ITEM 2. ADULT PROBATION:**

**A. APPROVAL OF PROFESSIONAL SERVICES AGREEMENT FOR COMPUTER SERVICE**

**2A**

Stanley Gonzalez addressed the Court and stated that this agreement is for computer services for the next three years. This contract is currently with the same company that is now providing this service and the current contract expires August 31, 1996. After further brief comment, **a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the contract between Ranette and Hidalgo County Adult Probation.**

**MOTION CARRIED  
(SEE EXHIBIT I)**

**ITEM 3. SHERIFF'S DEPARTMENT:**

- A. DISCUSSION OF JAIL OVERCROWDING**
- B. REQUEST LISTED ITEMS TO BE DECLARED EQUIPMENT SURPLUS & REMOVE FROM INVENTORY**
- C. DECLARE UNIFORMS SURPLUS & ORDER TO BE DESTROYED**
- D. APPROVAL FOR COUNTY AUDITOR TO PROCESS PAYMENT OF CLOTHING ALLOWANCE TO NON-UNIFORM OFFICERS**
- E. BUDGET AMENDMENT - UTILITIES - \$40,000.00**

**3A**

Ramiro Castellano addressed the Court and stated that he was there to answer any questions that the Commission might have regarding this situation. He stated that they have met with the board of pardons and paroles. He stated that there is a 45 day waiting period on individuals that are picked for violations. Mr. Castellano stated that they asked that board to waive that waiting period. They also contacted some people from the Texas Department of Corrections and asked them if they could take some of these prisoners and house them in a near by state facility while they await transfer to other units. They also have a contract with the U.S. Marshals in which they have 50 beds. They asked them if they could renew that contract and free up those 50 beds to use for County inmates. The U.S. Marshals have indicated that they are not interested in that idea at this time. However, they are willing to free up about 20 beds whenever possible. According to the Marshals, the contract is for 10 years so it is not up for renewal anytime soon to answer the question of Commissioner Garces in that respect. He also stated that they are currently looking at the possibility of tents. Out of all the Counties, there are only 2 Counties that have tried that but Beaumont is the only one that has tents at this time but it is only for the work release program. What had to be done was they had to build everything that is found in a regular jail with the exception of the walls which would be the tent. They are currently looking at several alternatives to relieve this situation. As far as the tents go, they are allowed to use tents for up to three years and you can only house minimum security inmates being that you cannot lock a tent, therefore, you must have adequate staff. After further comments, Commissioner Arcaute went on to the next item.

**NO ACTION**

**3B**

Roy Quintanilha addressed the Court and stated that there were three lists submitted. The first one was a list of items that were unaccounted for ranging from a secretarial desk to light bars. Two of the light bars are accounted for but they were destroyed when they were on loan to La Villa P.D. and the cars were set on fire. The next list has several items that are all \$249 or less in value. There was some discussion concerning items that removed from the inventory and how they are kept track of and who keeps track of them. During this discussion, Steve Austin stated that each department maintains a list of minor equipment and his office is supplied with this list periodically. The third list is a list of items that they would like to declare surplus and he feels that these items can be resold. **A motion was then made by Commissioner Sanchez and was seconded by Commissioner Rosel to accept the lists as presented by Mr. Quintanilha of unaccounted for items, items under \$250 and items to be surplus to the Purchasing Department.**

***MOTION CARRIED  
(SEE EXHIBIT J)***

**3C**

Mr. Quintanilha stated that these were uniforms that they would like to destroy to make sure that they don't get to the public for wrongful use. There are other items, as per the exhibit, that they would like to have destroyed as well. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Sanchez to approve.**

***MOTION CARRIED  
(SEE EXHIBIT J)***

**3D**

Mr. Quintanilha stated that this is the second time this year that they have come for this payment. They get paid this allowance in increments of two. This will cover July-December. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the County Auditor to process payment of the clothing allowance of non-uniform officers.**

***MOTION CARRIED  
(SEE EXHIBIT J)***

**3E**

Joe Jackson addressed the Court and stated that this money was needed to cover expenditures for the rest of the year. They currently have spent an average of \$7,843 per month for water. Mr. Jackson stated that they were only budgeted \$45,000 for the year. The Commission was wondering why they were underbudgeted so much, but noone knew the answer to that. **A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to approve a budget amendment for utilities in the amount of \$40,000.**

***MOTION CARRIED  
(SEE EXHIBIT J)***

**ITEM 4. APPROVAL TO APPOINT PETE LEAL AS INTERIM VETERANS SERVICE OFFICER**

**A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve Mr. Leal's appointment of Interim Veterans Service Officer.**

***MOTION CARRIED***

**(NO EXHIBIT)**

**ITEM 5. APPROVAL OF CONTRACT BETWEEN HIDALGO COUNTY & TROPICAL TEXAS CENTER FOR MENTAL HEALTH & MENTAL RETARDATION**

Mrs. Etnire stated that this contract is a budgeted item and it is not to exceed \$30,000. After further brief comments, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the contract with Tropical Texas Center of Mental Health and Hidalgo County and also an exemption for professional services. Effective January 1, thru December 31.**

**MOTION CARRIED  
(SEE EXHIBIT K)**

**ITEM 6. CONSIDERATION OF CHANGE ORDER FM 1015 RIGHT-OF-WAY MAP PROJECT RICHARD SALINAS & ASSOCIATES**

Vona Walker stated that this contract has been ongoing since 1991. The original award was for \$57,540. She stated that the Highway Department has requested some changes be made. With these changes, they shifted the road from one side to the other to avoid damaging some homes. Because of this, the engineer felt that additional work was needed. The amount being requested is \$13,055 to make the contract \$70,595. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve the change order on the FM 1015 Right-of-Way Map Project by Salinas & Assoc. in the amount of \$13,055.**

**MOTION CARRIED  
(SEE EXHIBIT L)**

**ITEM 7. JUVENILE PROBATION:**

**A. APPROVAL OF SETTLEMENT CLAIM WITH COPYSTAR LEASING IN THE AMOUNT OF \$11,621.88**

Buddy Silva opened by stating that this situation is the same as the County Clerk and other departments whereby they went with the State bid. This will settle the account with Copystar. Mr. Silva stated that he did not have money in his budget to pay this amount with this vendor. The money he does have now is for the current vendor that he has at this time. The contract with Copystar was terminated in '95 by the Commissioner's Court. Mr. Silva stated that this was a bill that was never paid for the use from January '95 to October '95. Payment was never made because of questions raised as to the validity of the lease. After further comments, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the settlement claim with Copystar Leasing in the amount of \$11,621.88.**

**MOTION CARRIED  
(SEE EXHIBIT M)**

**ITEM 8. WIC:**

**A. CONSIDERATION OF MOBILE TELEPHONE SERVICE FOR MOBILE CLINIC**

**8A**

Commissioner Sanchez suggested that a two way radio be bought rather than spending the money for mobile phones. He cited the fact that it might be cheaper. Ms. Norma Longoria, WIC Director stated that the mobile clinic already comes equipped with phones and she was just looking to activate them. After further brief comments, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve.**

**MOTION CARRIED  
(SEE EXHIBIT N)**

**ITEM 9. PURCHASING DEPARTMENT:**

- A. **PCT. 3:**
  - 1. **AWARD BID FOR HAULING SERVICES**
  - 2. **REQUEST AUTHORIZATION TO ADVERTISE FOR CRUSHED CALICH - EAST OF ABRAM ROAD**
  - 3. **REQUEST AUTHORIZAITON TO ADVERTISE FOR LUBRICANTS**
- B. **HIDALGO COUNTY:**
  - 1. **AWARD BID - REVIEW APPRAISER - FM 1015 PROJECT**
  - 2. **REQUEST AUTHORIZATION FOR PROPOSALS-CONTRACT FOR THIRD PARTY ADMINISTRATOR OF COUNTY PAYMENT UNDER THE INDIGENT HEALTH CARE & TREATMENT ACT OF 1985**

**9A1**

Martha Salazar stated that there were five bids received. They all came in at \$1.74 per ton. The bidders were Leal Trucking, Guadalupe Javier Cavazos, Jose Roberto Cavazos, Roberto Cavazos, Rene R. Cavazos. The Commission had some questions with regard to awarding multiple contracts. Steve Crain confirmed that they can but he suggested to them that if they do that, there must some type or rotation system so as to be fair will all the vendors and not call on the same one all the time. After further brief comments, **a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to take this bids under advisement to clarify some of these questions such as if they award to one hauler but the specifications called for certain units who they would pay and other small issues raised.**

**MOTION CARRIED (UNDER ADVISEMENT)  
(SEE EXHIBIT O)**

**9A2**

Commissioner Rosel stated that the reason this was being done, was because they had accepted a bid for the lowest vendor to service all the areas east of Abram Rd. For them to have access to some of this areas, the roads need to be upgraded. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the advertisement for crushed caliche east of Abram Rd. Bid opening July 24 and bid award July 30.**

**MOTION CARRIED  
(NO EXHIBIT)**

**9A3**

The Commission had some questions regarding the specifications for these products. They were also under the impression that there might be a bid already in place for these items. After finding out there was not at this time and finding out that there were no specifications either, the Commission moved on to the next item and took a no action on this item at this time.

**NO ACTION  
(NO EXHIBIT)**

**9B1**

Mrs. Salazar stated that there was one bid for this review appraiser. The only bidder was Leonel Garza Jr. & Associates. His bid was \$200 per parcel. After brief comments, **a**

**motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the awarding of the bid to Leonel Garza Jr. & Assoc. for review appraiser.**

***MOTION CARRIED  
(SEE EXHIBIT O)***

**9B2**

Mrs. Salazar stated that this would be expiring August 31 and they have given a 60 day notice for termination. They need to now go out for proposals for this issue. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the advertisements for proposals.**

***MOTION CARRIED  
(SEE EXHIBIT O)***

**ITEM 10. PLANNING DEPARTMENT:**

**A. SUBDIVISIONS:**

1. TIERRA MADRE SUBDIVISION - PCT. 1
2. PRADO VERDE SUBDIVISION - PCT. 4
3. SAN CARLOS SCHOOL NO. 2 SUBDIVISION - PCT. 4

**B. FINAL PLAT APPROVAL:**

1. BASHAM NO. 43 SUBDIVISION - PCT. 3

**C. PRELIMINARY PLAT APPROVAL & VARIANCE REQUEST**

1. ALVE SUBDIVISION - PCT. 4

**D. UPDATE DISCUSSION:**

1. AYALA-BAZAN ESTATES - PCT 1

**10A1**

Emilio Garcia, Chief Planner, addressed the Court and stated that this subdivision was in the rural area of the County and all improvements have been made. Upon the recommendation of Mr. Garcia, **a motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to approve Tierra Madre Subdivision as presented.**

***MOTION CARRIED  
(SEE EXHIBIT P)***

**10A2**

Mr. Garcia stated that all the improvements have been completed in accordance with all regulations and has been approved by the City of Edinburg. He also recommended the approval of this subdivision. **A motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to approve Prado Verde Subdivision as presented.**

***MOTION CARRIED  
(SEE EXHIBIT P)***

**10A3**

**A motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to approve San Carlos School No. 2 Subdivision.**

***MOTION CARRIED  
(SEE EXHIBIT P)***

**10B1**

Mr. Garcia opened by stating prelim approval was granted on April 23, 1996. Since then all improvements have been completed in accordance to the City of Mission and

County Regulations. **A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to give final plat approval to Basham No. 43 Subdivision in Pct. 3 as presented.**

***MOTION CARRIED  
(SEE EXHIBIT P)***

**10C1**

Mr. Garcia stated that the all initial improvements have been complete to give prelim approval. This has already been approved by the City of Donna and it is in their ETJ. The request for the variance is for the lot sizes. Lots 19-27 are less than the prescribed ½ acre. They are all abutting FM 1423. The reason for the reductions in the lot sizes is because of the County thoroughfare plan that had been approved after this area had been subdivided. Because of the plan, there was an additional 29 ft. of right of way required and they now do not meet the ½ requirement. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve to give preliminary approval to Alve Subdivision and also to grant the variance request.**

***MOTION CARRIED  
(SEE EXHIBIT P)***

**9D**

Mr. Garcia stated that since the previous meeting, Mr. Bazan has only submitted two out 14 or 15 items still lacking to complete this subdivision. Commissioner Sanchez then instructed Mr. Garcia to keep in close contact with Mr. Ayala and Mr. Bazan to get these items completed. The Commission then moved on to the next item.

***NO ACTION  
(SEE EXHIBIT P)***

**ITEM 11. URBAN COUNTY:**

- A. CITY OF ALTON - YEAR 7 PFI - FLOOD AND DRAIN IMPROVEMENTS
- B. CITY OF EDCOUCH - PFI - WATER SEWER FACILITY - YEAR 1993 - D & V CONSTRUCTION, INC.
- C. HIDALGO COUNTY HEALTH CLINIC - CHANGE ORDER #2 - DOVACOR CONSTRUCTION
- D. CANCELLATION OF ADDITIONAL SERVICE CONTRACT AMENDMENT - BOWMAN DISTRIBUTING, INC.
- E. CITY OF MERCEDES - CHANGE ORDER NO. 1 - STREET IMPROVEMENTS WITH SASCON INC. - YEAR 1995
- F. CITY OF MERCEDES - CONTRACT AWARD WITH SASCON, INC. YEAR 1995 - STREET IMPROVEMENTS
- G. CITY OF PALMVIEW - BUDGET AMENDMENT YEAR 1995
- H. CITY OF PROGRESO LAKES - PFI STREET IMPROVEMENTS CHANGE ORDERS 2 & 3
- I. PCT. 1 - REJECTION OF BIDS 1995, YEAR 8 - PFI STREET IMPROVEMENTS
- J. BUDGET AMENDMENT
- K. COUNTY WIDE PROJECT - HOUSING REHABILITATION PRORAM - CONSTRUCTION CONTRACT AWARD
- L. HOME/HOMEOWNER OCCUPIED HOUSING REHAB. APPLICATIONS
- M. COLONIA CONSTRUCTION FUNDS #714105 -N TRES COLONIAS - CONTRACT CHANGE ORDER #1

**11A**

Raul Lozano addressed the Commission. He stated that this bid has already been approved by the City and approved the low bid from Diamond Utilities in the amount of \$30,710. The next and only other bid was South Texas Utility at \$38,000. **A motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to accept the bid of Diamond Utilities for the City of Alton.**

***MOTION CARRIED***  
***(SEE EXHIBIT Q)***

**11B**

Mr. Lozano stated that they are now wanting to recommend the low bid of D & V Construction. This will be for the Utility relocation project with the State Department of Transportation for FM 1015. The amount of the low bid is \$62,231.97. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve the bid of D & V Construction in the amount of \$62,231.917.**

***MOTION CARRIED***  
***(SEE EXHIBIT Q)***

**11C**

Mr. Lozano stated that this change order will be for the addition of an ADA requirement for the Hidalgo Clinic. The amount of the change order was \$903. **A motion was then made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve the change order for \$903 to Dovacor Construction and it will be for the clinic in Hidalgo.**

***MOTION CARRIED***  
***(SEE EXHIBIT Q)***

**11D**

Mr. Lozano opened by stating that this was an amendment to the contract that had been done in the past with Bowman Distributing. Since then, the project manager has come back and said that there was no amendment necessary because the work did not have to be done. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.**

***MOTION CARRIED***  
***(SEE EXHIBIT Q)***

**11F**

Mr. Lozano stated that this was for a street project. Sascon was the low bidder at \$403,206.60. **A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.**

***MOTION CARRIED***  
***(SEE EXHIBIT Q)***

**11E**

Mr. Lozano stated that this was a change order for the street improvements project in the above item. This is due to this project going over the budget that the City had allowed for the project. The contract will be decreased by \$49,229. The contract amount will be \$353,977.60. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the change order.**

***MOTION CARRIED***

**(SEE EXHIBIT Q)**

**11G**

Mr. Lozano stated that the City has met all the requirement for the budget amendment. The amendment will allow them to decrease the Park and Recreation Facilities Line Item and increase the Fire Station Equipment Line Item. This is for additions to the fire station. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.**

**MOTION CARRIED  
(SEE EXHIBIT Q)**

**11H**

Mr. Lozano stated that change order #2 is for an increase for additional street work on Lakeway Drive. Change order #3 is the final adjustments as recommended by the Engineer. The net contract amount will be \$134,841.85. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve change orders 2 & 3 for the City of Progreso Lakes.**

**MOTION CARRIED  
(SEE EXHIBIT Q)**

**11I**

Mr. Lozano stated that there were three bids received on this item. The low bid was from Mission Paving at \$286,564.15 which was more than the budgeted amount. Commissioner Sanchez would like to reject this item and he will do it on a force account. Commissioner Sanchez stated that this was the second phase of this project. What he is going to do is do it with his own equipment. **A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to reject the bids.**

**MOTION CARRIED  
(SEE EXHIBIT Q)**

**11J**

Mr. Lozano stated that this item had come before the Commission in the form of a resolution for the involvement of the MPO Transit Feasibility Study.. What they are doing now is the 20% match required for this. The money will be coming from the County's General Fund and it is in the amount of \$2,970.06. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.**

**MOTION CARRIED  
(SEE EXHIBIT Q)**

**11K**

Mr. Lozano stated that there was only 1 contract up for approval at this time. The amount of the contract will be \$8,900 and the contractor is Elite Construction and the applicant is Arnulfo Garcia. There were five bids and Elite is the low bidder. **A motion made by Commissioner Garces and was seconded by Commissioner to approve Elite Construction in the amount of \$8,000 for the housing rehab program.**

**MOTION CARRIED  
(SEE EXHIBIT Q)**

**11L**

Mr. Lozano stated that they are recommending 5 applicants for this program at this time. The applicants are as per the exhibit. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.**

**MOTION CARRIED  
(SEE EXHIBIT Q)**

**11M**

Mr. Lozano opened by stating that this contract was entered into on May 21 with McAllen Construction for the Tres Colonias sewer improvements project. He went on to state that Mr. Covacevich had come before the Commission the previous week because one of the items on the contract had to be deleted. They are now presenting the change order to decrease the amount by \$155,000 which was the hooks up for the residents. This portion of the project will be done with help of CEED and FHA through individual applications for all the residents. The decrease comes out to 34% of the project and they do have the consent of the contractor. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve the change order.**

**MOTION CARRIED  
(SEE EXHIBIT Q)**

**ITEM 12. PCT. 1:**

**A. DISCUSSION AND ACTION ON HAULING SERVICES AWARDED JUNE 25, 1996**

**12A**

Mrs. Salazar opened by stating that she had gone out of town the week that this contract was awarded, so she left the contract ready for signing by Mr. Rendon, who was awarded the bid, with the Judge's Office. Upon her return, she found out that Mr. Rendon did not want to sign the contract because he felt that there were some items being imposed on him as additional items. Mrs. Salazar then addressed this situation with Legal Counsel and it was determined that this was your standard contract and there was nothing unfair about it. His problem with this is the 24 hour notification in which he has to respond to whatever job is requested of him within 24 hours and also the volume that will be requested of him. Mr. Rendon will be acquiring the services of an attorney because he feels that this condition is being imposed on him specifically. During the discussion of the Commission, they had their doubts being that Mr. Rendon only had 3 vehicles and his bid was so low that he will not be able to sub-contract if he needs to and they feel that he will need to at some time or another. Steve Crain then addressed the Court and stated that his recommendation to the Court is for them to instruct the Purchasing Agent to send Mr. Rendon a letter stating that he has until Friday to execute the contract or it will be taken back to Court and his bid will be rejected. There was some discussion as to whether or not there a vote needed to go about this in this manner. Mr. Crain stated that it is not needed so long as they give purchasing a directive to conduct this in this manner. Commissioner Sanchez had a big problem with this issue being that he is already behind on some his work and he has no more time to waste. There were some suggestions as to how to go about getting some work done while they way on Mr. Rendon to sign the contract. He wanted to know if they could maybe exempt the second low bidder and have him work until the issue is resolved. They could not come up with a solution so no action was taken at this time.

**NO ACTION  
(NO EXHIBIT)**

**A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to adjourn Commissioner's Court Agenda.**

**MOTION CARRIED**

There being no further business to come before this Commissioner's Court this meeting is adjourned.

The Honorable Abelardo Arcaute, Precinct 2 Commissioner, called this Drainage District Board meeting to order, whereupon the following items were had to wit:

### **DRAINAGE DISTRICT**

#### **ITEM 1. APPROVAL OF TRAVEL POLICY GUIDELINES AND PROCEDURES**

Vona Walker stated that these are the same as were adopted for the County the previous week. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.**

***MOTION CARRIED  
(NO EXHIBIT)***

#### **ITEM 2. PERMITS:**

- A. **CITY OF PHARR**
- B. **CITY OF EDINBURG**
- C. **CITY OF WESLACO**
- D. **CITY OF McALLEN**

**2A  
NO ACTION**

**2B**  
Ms. Walker stated that there three permits for the City of Edinburg. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the permit request by the City of Edinburg.**

***MOTION CARRIED  
(SEE EXHIBIT R)***

**2C**  
Ms. Walker stated that these were two permit requests. Everything is in order. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the permit request by the City of Weslaco.**

***MOTION CARRIED  
(SEE EXHIBIT R)***

**2D**  
Ms. Walker stated that there were three requests for the City of McAllen. **A motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to approve the permit requests for the City of McAllen.**

***MOTION CARRIED  
(SEE EXHIBIT R)***

#### **ITEM 3. LINE ITEM TRANSFER**

Ms. Walker stated that \$10,000 will be going from Chemicals and Drugs to Equipment. **A motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to approve.**

***MOTION CARRIED  
(SEE EXHIBIT S)***

**A motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to adjourn Drainage District No. 1.**

***MOTION CARRIED***

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS DRAINAGE DISTRICT BOARD, THIS MEETING STANDS ADJOURNED.**