

The Honorable Abelardo Arcaute, Pct. 2 Commissioner, called this Commissioner's Court Meeting to order, whereupon the following items were had to wit:

CONSENT AGENDA

ITEM 1. APPROVAL OF BILLS - COUNTY AUDITOR

GENERAL FUND	- #128391 - #128668	- \$4,881,428.18
SPECIAL REVENUE FUND	- #127743 - #127984	- \$1,153,544.06
DEBT SERVICE FUND	- # 1069 - # 1070	- \$ 163.60
TRUST AND AGENCY FUND	- # 6137 - # 6145	- \$ 182,804.37
ENTERPRISE FUND	- # 3078 - # 3088	- \$ 13,052.73

(EXHIBIT A)

ITEM 2. APPROVAL OF COURT REPORTER FEE:

A. MAGDALENA GARZA HINOJOSA - \$3,649.00

(EXHIBIT B)

ITEM 3. APPROVAL OF MONTHLY COLLECTION REPORTS:

- A. LAW LIBRARY:
 - 1. JANUARY, 1997 - \$798.50
- B. ANZALDUAS PARK:
 - 1. DECEMBER - \$1,832.00
 - 2. JANUARY - \$1,216.00
- C. JUSTICE OF THE PEACE:
 - 1. ARNALDO CORPUS - \$ 3,522.80 - JANUARY 1997
 - 2. DARIO MARTINEZ - \$ 3,986.68 - JANUARY 1997
 - 3. GILBERT SAENZ - \$ 6,295.60 - JANUARY 1997
 - 4. ESPIRIDION JACKSON - \$ 8,435.60 - JANUARY 1997
 - 5. JESUS MORALES - \$12,761.50 - JANUARY 1997
 - 6. ISMAEL OCHOA - \$16,033.71 - JANUARY 1997
 - 7. CHARLIE ESPINOZA - \$16,662.74 - JANUARY 1997
 - 8. ROSA TREVINO - \$20,077.72 - JANUARY 1997
- D. DISTRICT CLERK:
 - 1. FEBRUARY - \$122,055.70

(EXHIBIT C)

ITEM 4. PLANNING DEPARTMENT:

- A. SUBDIVISIONS:
 - 1. WEST DONNA ESTATES - PCT. 1
 - 2. MUMFORD TRAIL ESTATES - PCT. 3

(EXHIBIT D)

ITEM 5. PERMITS:

- A. NORTH ALAMO WATER SUPPLY - PCT. 1, 2 & 4

(EXHIBIT E)

ITEM 6. INTERNAL LINE ITEM TRANSFERS:

- A. PCT. 4 ADMINISTRATION - \$ 1,000.00

B. PCT. 4 ROAD & BRIDGE	-	\$
5,000.00		
C. PCT. 4 - GENERAL FUND - ENTERPRISE FUND	-	\$
165.00		
D. COUNTY LIBRARY SYSTEM - GENERAL FUND	-	\$
720.00		
E. COUNTY CLERK - GENERAL FUND	-	\$
1,200.00		
F. ELECTION DEPARTMENT - GENERAL FUND	-	\$
50.00		
G. HEALTH DEPARTMENT - MOBILE CLINIC - GEN. FUND	-	\$
700.00		
H. HEALTH DEPARTMENT - SANITATION - GEN. FUND	-	\$
3,850.00		
I. PCT. 3 - ADMINISTRATION	-	\$
1,000.00		
J. PCT. 3 - LANDFILL	-	\$
300.00		
K. PCT. 3 - PAVED/UNPAVED	-	\$
1,000.00		
L. PCT. 1 - PAVED/UNPAVED	-	
\$20,000.00		
M. CRIMINAL DISTRICT ATTORNEY - CRIMINAL AUXILIARY COURT	-	\$
7,932.73		
N. HEALTH DEPARTMENT - PUBLIC HEALTH ADMINISTRATOR		
- \$ 3,600.00		

(EXHIBIT F)

Comm. Arcaute stated for the record that this Commissioner's Court had never asked Representative Hinojosa to introduce a bill to give raises to the Commissioners and Judge. He is in opposition of the bill concerning this. There being no changes to the consent agenda, **a motion was made by Commissioner Garces and was seconded by Commissioner Handy to approve.**

MOTION CARRIED**(EXHIBITS A-F)****REGULAR AGENDA**

**ITEM 1. APPROVAL OF PROCLAMATION PROCLAIMING BOB BULLOCK AS THE
1997 BORDER
TEXAN OF THE YEAR**

Commissioner Arcaute proceeded to review what the proclamation was about and read it into the record the last paragraph as per the exhibit. **A motion was made by Commissioner Handy and was seconded by Commissioner Garces to approve.**

MOTION CARRIED**(EXHIBIT G)**

ITEM 2. SHERIFF'S DEPARTMENT:

- A. APPROVAL OF BUDGET APPROPRIATION IN THE AMOUNT OF \$870.00 TO SHERIFF'S INVESTIGATIVE FUND 104 (ACCT. #7-104-421-100.82) CONTRACTUAL SERVICES FROM FORFEITURE AWARD
- B. REQUEST AUTHORIZATION TO TRANSFER \$619.12 FROM GENERAL FUND TO SHERIFF'S ACCOUNT #7-010-421-100.30 - THIS MONEY WAS RECEIVED FROM TAC FOR DAMAGES SUSTAINED ON ONE CROWN VICTORIA
- C. REQUEST AUTHORIZATION TO TRANSFER \$193.77 FROM GENERAL FUND TO SHERIFF'S ACCOUNT #7-010-421-100.28 - THIS MONEY WAS RECEIVED FROM TAC AS REIMBURSEMENT FOR A BURGLARY
- D. APPROVAL OF BUDGET APPROPRIATION IN THE AMOUNT OF \$358.00 IN THE SHERIFF'S INVESTIGATION FUND 104 ACCOUNT #7-104-421-100.51 (ADVERTISING) FROM A FORFEITURE AWARD

2A

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

***MOTION CARRIED
(EXHIBIT H)***

2B

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

***MOTION CARRIED
(EXHIBIT H)***

2C

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

***MOTION CARRIED
(EXHIBIT H)***

2D

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

***MOTION CARRIED
(EXHIBIT H)***

ITEM 3. COUNTY LIBRARY SYSTEM:

- A. RECOMMENDATION AND APPROVAL OF APPOINTMENT TO THE HCLS BOARD - 1 REPRESENTATIVE AND 1 ALTERNATE FOR A TERM OF THREE YEARS FROM JANUARY 1, 1997 - DECEMBER 31, 1999 - TO REPRESENT DONNA PUBLIC LIBRARY ARE:
 - 1. NANCY SEIVER

2. ALLEN GIFFORD
3. JAY SEIVER
- B. APPROVAL OF INTERLOCAL AGREEMENTS BETWEEN THE HIDALGO COUNTY LIBRARY SYSTEM AND:
 1. CITY OF ALAMO
 2. CITY OF DONNA
 3. CITY OF EDINBURG
 4. CITY OF ELSA
 5. CITY OF McALLEN
 6. CITY OF MERCEDES
 7. CITY OF MISSION
 8. CITY OF PHARR
 9. CITY OF WESLACO

3A

William McGee addressed the Court and stated that these appointments needed to be made for the upcoming term. There was some short deliberation among the Commission where to come to the decision to appoint Nancy Seiver as the representative and Allen Gifford as the alternate. **A motion was made by Commissioner Handy and was seconded by Commissioner Rosel to approve.**

***MOTION CARRIED
(EXHIBIT I)***

3B1-9

Mr. McGee stated that in the past years they have been trying to improve services. He would like to continue to improve services to the County. These agreements were suggested by Legal Counsel and the Purchasing Department so that they can formalize the relationship the municipalities. These agreements will make funds available from the previous year and they provide them with better flexibility with purchases for the member libraries for materials etc. After further comments, **a motion was made by Commissioner Handy and was seconded by Commissioner Garces to approve.**

***MOTION CARRIED
(EXHIBIT I)***

ITEM 4. COUNTY JUDGE:

- A. APPROVAL TO PAY COUNTY'S MEMBERSHIP DUES IN THE AMOUNT OF \$3,500.00 TO AMIGOS DEL VALLE INC. FOR FISCAL YEAR 1996/97

4A

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces. Commissioner Arcaute mentioned the language on the contract where it should read fee for service as opposed to membership dues. Commissioner Rosel if there was any problem with that. Steve Crain stated that the agenda stated membership dues and suggested maybe placing on the coming agenda as fee for service. Manuel Cavazos felt that it was appropriate as it was but the

Commission felt that they should wait. **Commissioner Rosel withdrew his motion and Commissioner Garces withdrew his second. No further action was taken.**

NO ACTION

ITEM 5. PCT. 1:

- A. **AUTHORIZE EXEMPTION FROM COMPETITIVE BIDDING AND APPROVE CONTRACT WITH L.L. RODRIGUEZ & ASSOCIATES (ENGINEERING SERVICES) AMOUNT EQUAL TO 8% OF ESTIMATED ENGINEERING COST OF CONSTRUCTION**
- B. **AUTHORIZATION TO PAY TWO MONTHS RENTAL THAT EXCEEDED THE LIMITS AS DESCRIBED BY THE PURCHASING POLICY - RENT WAS \$2,500 AND EXCEEDS THE \$15,000 LIMIT - TOTAL OVERRUN WAS \$5,000 PAYABLE TO NUECES POWER AND EQUIPMENT**
- C. **APPROVAL OF BUDGET AMENDMENT AS FOLLOWS:**
 - 1. **TRANSFER FROM COUNTY WIDE TO PCT. 1 EQUIPMENT AND MACHINERY - \$50,000**
 - 2. **TRANSFER FROM PAVED/UNPAVED - CHEMICALS, DRUGS, MEDICATION TO ADMINISTRATION - OFFICE EQUIPMENT - \$10,000.00**

5A

Raul Lozano stated that there was a contract that was attached to the packets but they will be using a contract that was approved by legal counsel. It is the same as for pct. 3. The contract calls for work for 6 projects. After further brief comments, **a motion was made by Commissioner Handy and was seconded by Commissioner Rosel to approve.**

**MOTION CARRIED
(EXHIBIT K)**

5B

Mr. Lozano stated that this rental was authorized by the outgoing commissioner. Being that it ran through December of 96, it exceeded the \$15,000 amount where bids need to be received. Steve Crain addressed the Court and stated that the only thing that can be done is pay this bill. The Court will go on record that Commissioner Handy was not in office at the time this equipment was rented and that there was no intent of wrong doing. After further comments, **a motion was made by Commissioner Handy and was seconded by Commissioner Garces to approve payment for two months.**

**MOTION CARRIED
(NO EXHIBIT)**

5C1

Mr. Lozano stated that this item is being brought back at the request of the auditor. Mr. Lozano stated that in the first meeting of February, the Commission approved the payment of the roller for \$56,000. Countywide funds were supposed to pay for \$50,000. The auditor is requesting that the monies be transferred from

Countywide to Pct. 1 road and bridge. **A motion was made by Commissioner Handy and was seconded by Commissioner Rosel to approve.**

***MOTION CARRIED
(EXHIBIT K)***

5C2

A motion was made by Commissioner Handy and was seconded by Commissioner Garces to approve.

***MOTION CARRIED
(EXHIBIT K)***

ITEM 6. PCT. 3:

- A. AUTHORIZATION TO ACCEPT AND FINALIZE 1996 CONTRACT FOR PENITAS LANDFILL WITH RUST ENVIRONMENT & INFRASTRUCTURE**
- B. AUTHORIZATION TO ENTER INTO AND APPROVE INTERLOCAL AGREEMENT BETWEEN HIDALGO COUNTY ROAD AND BRIDGE AND THE CITY OF GRANJENO FOR THE PURPOSE OF PAVING GRANJENO CITY HALL PARKING LOT**
- C. AUTHORIZATION TO TRANSFER \$1,236 FROM SLOT 11 TO SLOT 12 IN ORDER TO COMPLY WITH MINIMUM WAGE REQUIREMENTS**
- D. AUTHORIZATION TO EXEMPT FROM COMPETITIVE BIDDING AND APPROVAL OF CONTRACT WITH HINOJOSA ENGINEERING FOR ENGINEERING SERVICES**

6A

Comm. Rosel stated that they now formally want to accept the work that has been done by Rust Lichliter and Jameson. The service they provided was the negotiating with the State and obtaining an exemption to use this cell as is. After further comments, **a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.**

***MOTION CARRIED
(EXHIBIT L)***

6B

NO ACTION

6C

A motion was made by Commissioner Rosel and was seconded by Commissioner Handy to approve.

***MOTION CARRIED
(EXHIBIT L)***

6D

Commissioner Rosel stated that this contract was for the assessment of some streets to be worked on. After further comments, **a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.**

***MOTION CARRIED
(EXHIBIT L)***

ITEM 7. PCT. 4:

- A. **AUTHORIZATION TO ADVERTISE FOR PAVING OUT OF URBAN COUNTY YEAR 9**
- B. **APPROVAL OF PROFESSIONAL SERVICE AGREEMENT BETWEEN PCT. 4 AND RUST ENVIRONMENT AND INFRASTRUCTURE INC. FOR LANDFILL ENGINEERING AND CLOSURE WORK, COST AT HOURLY RATE NOT TO EXCEED \$93,010 (INCLUDING REIMBURSABLE EXPENSES)**
- C. **DISCUSSION REGARDING MOSQUITO SPRAYING - STATE MANDATE - LICENSED OPERATOR NEEDED TO DISPENSE MOSQUITO/PESTICIDE PRODUCTS**

7A

Commissioner Garces stated that they had that this issue was taken care of. They placed in on the agenda to resolve this issue. **He then made a motion to advertise for Pct. 4 Urban County year 9.** Commissioner Rosel asked why he was placing this on the agenda. This should be done by Mr. Covacevich. Mr. Covacevich stated that they do not have any specs for this but they are waiting for them to be delivered by the Engineer. After further comments, **Commissioner Garces withdrew his motion and they will return back to this item.**

***NO ACTION
(EXHIBIT M)***

7B

**NO ACTION
(EXHIBIT M)**

7C

Comm. Garces stated that this derived from a conversation with Roy Tijerina where he was told that all personnel applying mosquito mist must be licensed. There is no one in place that has the license. The Commission was in agreement that something needed to be done concerning the licensing. **No further action was taken.**

NO ACTION

ITEM 8. ADULT PROBATION:

- A. **ACCEPTANCE OF GRANT MONIES AWARDED TO HIDALGO COUNTY BY CJAD IN THE AMOUNT OF \$122,315 TO BE USED FOR OUTPATIENT SUBSTANCE ABUSE SERVICES FOR PROBATIONERS**

8A

Martha Salazar stated that this had been requested that no action be taken being that is has not gone before the Board of Judges. **No action was taken.**

**NO ACTION
(EXHIBIT N)**

ITEM 9. RIGHT OF WAY:

- A. APPROPRIATION OF REIMBURSEMENT OF RIGHT OF WAY COST - JACKSON ROAD**
- 1. CITY OF PHARR - \$1,966.66**
 - 2. CITY OF McALLEN - \$3,557.07**

9A1&2

Vona Walker stated that this was on the section of road between Nolana Loop and Alberta Road. Both cities owe \$1,966.66 but the City of McAllen sent \$1,590.41 toward the next billing. **A motion was then made by Commissioner Handy and was seconded by Commissioner Rosel to approve.**

**MOTION CARRIED
(EXHIBIT O)**

ITEM 10. WIC:

- A. AUTHORIZATION TO RECLASSIFY CLINIC MANAGER POSITION TO NUTRITIONIST POSITION - SALARY REMAINS THE SAME AT \$25,000**
- B. AUTHORIZATION TO RECLASSIFY BREAST FEEDING PEER COUNSELOR POSITION TO PART TIME CLEANING AIDE (8 HOURS PER PAY PERIOD)**

10A

Norma Longoria stated that the reason for the change is that the State is requiring that WIC have more nutritionists on site at there clinics. Noone will lose any money. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.**

**MOTION CARRIED
(EXHIBIT P)**

10B

Ms. Longoria stated that this person will help clean at the Hidalgo Clinic. **A motion was made by Commissioner Garces and was seconded by Commissioner Handy to approve.**

**MOTION CARRIED
(EXHIBIT P)**

ITEM 11. PLANNING DEPARTMENT:

- A. SUBDIVISIONS:**
- 1. LA GLORIA SUBDIVISION PHASE I - PCT. 1**
 - 2. LUCAS SUBDIVISION - PCT. 3**

- 3. **NORTH BRYAN ESTATES - PCT. 3**
- B. **PRELIMINARY PLAT APPROVAL:**
 - 1. **RINCON DEL VALLE SUBDIVISION NO. 5 - PCT. 2**
- C. **FINAL PLAT APPROVAL:**
 - 1. **CRESTA DEL NORTE SUBDIVISION - PCT. 4**

11A1

Emilio Garcia stated that subdivision in the ETJ of Mercedes. All requirements have been met and he is recommending approval. **A motion was made by Commissioner Garces to approve La Gloria Subdivision Phase I in Pct. 1.**

**MOTION CARRIED
(EXHIBIT Q)**

11A2

Mr. Garcia stated that this subdivision was approved by the City of McAllen. Upon his recommendation, **a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve Lucas Subdivision in Pct. 3.**

**MOTION CARRIED
(EXHIBIT Q)**

11A3

NO ACTION

THIS ITEM WAS TAKEN LATER ON THE AGENDA

11B1

Mr. Garcia stated that all prelim requirements have met and the City of Alamo has also approved this subdivision. Mr. Garcia recommended prelim approval subject to items 18 a,b&c. **A motion was made by Commissioner Handy and was seconded by Commissioner Rosel to approve.**

**MOTION CARRIED
(EXHIBIT Q)**

11C1

Mr. Garcia stated that this subdivision should say pct. 1 instead of pct. 4. This subdivision was approved preliminarily on Nov. 27. Since then all improvements have met in accordance with the City of Donna and the County. **A motion was made by Commissioner Handy and was seconded by Commissioner Garces to approve.**

**MOTION CARRIED
(EXHIBIT Q)**

ADD. 1. PLANNING DEPARTMENT:

A. AMENDED PLAT - RMR SUBDIVISION

1A

Mr. Garcia stated that the change to this subdivision was an error on the right of way of mile 12 ½ North. It should be 30 ft from the centerline and not 40. **A motion was then made by Commissioner Handy and was seconded by Commissioner Handy to approve.**

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

ITEM 12. URBAN COUNTY:

- A. CITY OF EDCOUCH - RESCIND A SUBRECIPIENT AGREEMENT WITH THE DELTA AREA DEVELOPMENT CORPORATION (DADC) FY 1994
- B. CITY OF EDCOUCH - APPROVAL OF PFI - WATER SEWER IMPROVEMENTS CONSTRUCTION CONTRACT WITH ALAMO UNDERGROUND UTILITIES - FY 1993 & 1994
- C. CITY OF PALMVIEW - APPROVAL OF SUBRECIPIENT AGREEMENT WITH THE BOYS AND GIRLS CLUB OF PALMVIEW - FY 1996
- D. PCT. 2 - BUDGET AMENDMENT - YEAR 1994
- E. PCT. 3 - APPROVAL OF SUBRECIPIENT AGREEMENT WITH THE BOYS AND GIRLS CLUB OF PALMVIEW FY 1995 & 1996
- F. HOME/HOMEOWNER OCCUPIED HOUSING REHAB APPLICATIONS
- G. HOME FIRST TIME HOMEBUYER CONTRACT AGREEMENT AND LETTER OF COMMITMENT TO MORTGAGE COMPANY (3 FAMILIES)
- H. DESIGNATION OF COMMUNITY HOUSING DEVELOPMENT ORGANIZATION (CHDO) UNDER THE HOME PROGRAM
- I. HOME - RENTAL REHABILITATION CONTRACT (EVA E. GONZALEZ)
- J. COUNTY OF HIDALGO - COUNTY CLERK FEES
- K. COUNTY OF HIDALGO - REGULATIONS CONTROLLING THE INSTALLATION OF TRAFFIC CONTROL DEVICES ON COUNTY ROADS

12A

A motion was made by Commissioner Handy and was seconded by Commissioner Garces to rescind the subrecipient agreement with the Delta Area Development Corporation.

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

12B

Mr. Covacevich stated that this bid was approved by the City of Edcouch. The amount of the contract is \$34,841 and it is the low qualifying bid. Mr. Covacevich stated that there was a lower bid but they vendor did not comply with specifications thus disqualifying them. After further comments, **a motion was made by Commissioner Handy and was seconded by Commissioner Garces to approve.**

**MOTION CARRIED (COMM. ROSEL OPPOSED)
(EXHIBIT S)**

12C

Mr. Covacevich stated that this agreement was in the amount of \$65,000. This money will go to youth activities. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.**

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

12D

Mr. Covacevich stated that Pct. 2 will take \$26,000 from parks and move it to street improvements. The money was originally going to be used for another purpose but did not after all. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to approve.**

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

12E

NO ACTION

12F

Mr. Covacevich stated that this was for the Cities of Progreso Mercedes, Alton, Edcouch and Palmview. Some are for \$12,000 and some for \$15,000. The amount is the decision of the city. **A motion was made by Commissioner Garces and was seconded by Commissioner Handy to approve the applications on housing rehab.**

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

12G

Mr. Covacevich stated that there were 3 families that met the qualification at this time. Upon his recommendation, **a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.**

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

12H

Mr. Covacevich stated that they wanted to acknowledge the South Texas Development Corporation as a Community Housing Development Organization. This must be done by the Commission. If this is done, they can qualify for funds under this program. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve.**

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

12I

Mr. Covacevich stated that the County will pay for ½ of the amount of the rehab. The owner will then agree to rent to a low income person for 5 years. This is

part of an agreement. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.**

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

12J

Mr. Covacevich stated that was related to the amount of fees that the County Clerk imposes on the recording of documents for Urban County. When UCP started placing liens on properties, there were no fee for them to be recorded and now there is. This was a change initiated by the Auditor at the time Mr. Pulido took office. He feels that the amounts are outrageous. Commissioner Rosel asked if they could be waived and Mr. Crain stated that they can be waived by the County Clerk himself. A discussion ensued concerning what the County could do in this instance. **There were some suggestions offered but no further action was taken.**

***NO ACTION
(EXHIBIT S)***

12K

Mr. Covacevich stated that when the County puts up traffic control devices, they are not being done properly. He stated that he sent a memo to the Judge where he indicated that there is a requirement by the State that an engineering study be done where a sign is being erected. This is a requirement of the State. The County would have to adopt a policy to have these services provided. A Safety Engineer would be hired to conduct these studies on these areas that a sign will up. The engineer will be the one to recommend what type of device needs to go up. Upon this recommendation, the Court would approve the action and the County would conduct the work. Vona Walker brought up the question about the subdivision regulations. She stated that the regulations require that the developer put up the traffic control devices. Will this issue slow the process of approval on subdivisions? The Commission engaged in a discussion where they suggested several different alternatives to go about this issue. Mr. Covacevich suggested that he could draft a policy and bring it back to the Court for further review and/or approval. **No further action was taken.**

***NO ACTION
(EXHIBIT S)***

ITEM 13. PURCHASING DEPARTMENT:

- A. RECOMMENDATION TO AWARD BID ON TYPE D HOT MIX**
- B. RECOMMENDATION TO AWARD BID FOR PIT RUN CALICHE**
- C. APPROVAL OF CONTRACT WITH MISSION PAVING FOR ABRAM AND STEWART ROADS IN THE AMOUNT OF \$44,348.04**
- D. CONCUR WITH THE DECLARATION OF AMIGOS BIBLIOGRAPHIC COUNCIL AS SOLE SOURCE VENDOR AS PER THE PURCHASING AGENT**
- E. REQUESTING AUTHORITY TO ADVERTISE FOR RENTAL SPACE IN THE CITY OF McALLEN FOR WIC**

- F. REQUESTING AUTHORITY TO EXTEND PRESENT McALLEN WIC CONTRACT FOR 60 DAY PERIOD TO ALLOW FOR COMPLETION OF THE BIDDING PROCESS
- G. REQUESTING EXTENSIONS OF THE FOLLOWING CONTRACTS FOR 60 DAYS - THEY ARE CURRENTLY IN THE BID PROCESS
 - 1. VALLEY CALICHE - REQUESTED EXTENSION 5/8/97 - EXPIRES 3/8/97
 - 2. ASTRO, BLUE STAR, CENTURY, GULF, JOINER - REQUESTED EXTENSION 5/8/97 EXPIRES 3/8/97
 - 3. ASTRO, GULF COAST, BLUE STAR - REQUESTED EXTENSION 5/12/97 - EXPIRES 3/12/97
- H. REQUESTING EXEMPTION FROM COMPETITIVE BIDDING REQUIREMENTS - PROFESSIONAL SERVICES/TREATMENT SERVICES - ADULT PROBATION
- I. REQUESTING AUTHORITY TO ENTER INTO AND APPROVAL OF THE CONTRACTS WITH TWO TDCJ-CJAD APPROVED VENDORS - ADULT PROBATION
 - 1. TREATMENT ASSOCIATES
 - 2. RIO GRANDE VALLEY COUNCIL

13A

Martha Salazar stated that there were 2 bidders. She is recommending Valley Caliche for pct. 4 at \$22.00 per ton and Frontera Materials for Pct. 1 & 2 at \$22.50 per ton. The reason for the multiple award is due to the location of the pits with respect to the precincts. **A motion was made by Commissioner Garces and was seconded by Commissioner Handy that the bid of Valley Caliche at \$22.00 a ton be awarded for pct. 4 and the bid of Frontera Material of \$22.50 per ton for pct. 1 & 2.**

***MOTION CARRIED
(EXHIBIT T)***

13B

Mrs. Salazar stated that there were 4 bidders. She is recommending Buenga at 78 cents per ton for pct. 1, 2 & 4. **A motion was made by Commissioner Garces and was seconded by Commissioner Handy to accept the bid of Buenga Inc. as the low bid for pit run caliche at 78 cents a ton.**

***MOTION CARRIED
(EXHIBIT T)***

13C

Mrs. Salazar stated that this contract was proposed by the vendor. This contract has been reviewed by legal counsel. **A motion was made by Commissioner Rosel and was seconded by Commissioner Handy to approve.**

***MOTION CARRIED
(EXHIBIT T)***

13D

Mrs. Salazar stated that this service is afforded to the library system. They are the only vendor that can provide the type of service that the library system is seeking. The main company is in Ohio. This company provides a database as to the books and other materials that can be purchased. Commissioner Garces felt that they should approve this subject the review of the DA's review of sole source. Steve Crain addressed the Court and reaffirmed what sole source is. He stated that it had to be a service that is unique to only one vendor. If they were to receive bids and there was only one bid, it would not mean that it was sole source. Mrs. Salazar stated that they have not been able to find anyone else that would bid on this item being that this is nationwide. Mr. Crain then stated that his concern was either they are sole source or they are not. Just because someone thinks that there is no one else that can bid, you still advertise and if that is the only bid you receive then the requirements have been met. The amount of this contract is approximately \$20,000. After further comments, Commissioner Arcaute recommended that they advertise as they have in the past. **No further action was taken.**

NO ACTION**13E**

Commissioner Rosel felt that the issue of the cancellation clause needed to be addressed. He felt that they were not attracting investors due to the 30 day cancellation clause. Investors were not interested in remodeling or building a building with this current clause. Mrs. Salazar stated that the specs for this lease state 60 day cancellation and it also mentions the availability of funds. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Handy to approve.**

**MOTION CARRIED
(EXHIBIT T)****13F**

Mrs. Salazar stated this extension was as not to have a lapse in service. The vendor was amenable. After further comments, **a motion was made by Commissioner Rosel and was seconded by Commissioner Handy to approve.**

**MOTION CARRIED
(EXHIBIT T)****13G1**

Mrs. Salazar stated that the vendor is willing to extend this contract. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel for a 60 day extension on the contract of valley caliche for cold mix.**

**MOTION CARRIED
(EXHIBIT T)****13G2**

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

**MOTION CARRIED
(EXHIBIT T)**

13G3

A motion was made by Commissioner Garces and was seconded by Commissioner Handy to approve.

**MOTION CARRIED
(EXHIBIT T)**

13H&I

NO ACTION

Mr. Crain stated that he had a concern with item 13C. He had a concern with the contract and it stating that the architect is the owner. He was told by Mrs. Salazar that there is no owner on this and the agreement says that the County will be acting as an architect which cannot be done. Commissioner Rosel stated that Phase V was the engineer on the project. Mr. Crain stated that if they are indeed the engineer, he recommended that the engineer draft a contract between the County and the owner and bring it back for approval. After further comments, the Commission decided to stay with the award that was made previously to have Mission Paving continue with the work and come back the following week to approve the contract.

**ADD. #2. DISCUSSION AND POSSIBLE ACTION ON LEGISLATION PERTAINING
TO COUNTY
GOVERNMENT**

Paul Vazaldua addressed the Court and stated that they have a list of 6 bills that the Judge's Office feels concern the County at this time. He proceeded to review the bills as per the exhibit and give a background on each of them. Following further comments, **no further action was taken.**

**NO ACTION
(EXHIBIT U)**

Back to item 11B3.

Emilio Garcia addressed the Court and stated that he wanted to revert back to item 11B3 concerning North Bryan Estates. He stated that the corrections to this plat have been made and all paperwork required has now been submitted. The issue was that the health department had not approved the percolation test and some words needed to be inserted onto the plat. This has all been taken care of. **Upon the recommendation of Mr. Garcia, a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve North Bryan Estates in Pct. 3.**

**MOTION CARRIED
(EXHIBIT Q)**

A motion was made by Commissioner Rosel and was seconded by Commissioner Handy to adjourn.

MOTION CARRIED

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

DRAINAGE DISTRICT

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

CONSENT AGENDA

ITEM 1. PERMITS:

- A. CITY OF EDINBURG - MONTE CRISTO MANOR & ENCINOS ESCONDIDOS
- B. CITY OF MERCEDES - BASELINE HEIGHTS SUBDIVISION
- C. CITY OF MISSION - MOOREFIELD GROVE ESTATES #3

(EXHIBIT V)

ITEM 2. INTERNAL LINE ITEM TRANSFER:

- A. DRAINAGE DISTRICT - PUBLIC WORK/MAIN DRAIN

(EXHIBIT W)

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the consent agenda.

MOTION CARRIED

(EXHIBITS V & W)

REGULAR AGENDA

ITEM 1. PURCHASING DEPARTMENT:

- A. REQUESTING AUTHORITY TO ADVERTISE FOR A USED EXCAVATOR

1A

A motion was made by Commissioner Garces and was seconded by Commissioner Handy to authorize the purchasing department to advertise for a used excavator.

MOTION CARRIED

(EXHIBIT X)

Commissioner Arcaute adjourned Drainage District No. 1.

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

