

APRIL 14, 1997

1

The Honorable J. Edgar Ruiz, County Judge, called this Commissioner's Court Meeting to order, whereupon the following items were had to wit

CONSENT AGENDA

ITEM 1. APPROVAL OF CHECK REGISTER AND PAYMENT OF CLAIMS/BILLS - COUNTY AUDITOR
(NO EXHIBIT)

ITEM 2. APPROVAL OF MONTHLY COLLECTION REPORT:

A. JUSTICE OF THE PEACE:

1. ROSA TREVINO:

a. FEBRUARY 1997 - 18,050.09

2. CHARLIE ESPINOZA:

a. FEBRUARY 1997 - \$26,689.52

3. RENE O. TORRES:

a. FEBRUARY 1997 - \$14,011.50

B. COUNTY CLERK - MARCH 1997 - \$342,015.99

(EXHIBIT A)

ITEM 3. PLANNING DEPARTMENT:

A. SUBDIVISIONS:

1. O & J SUBDIVISION UNIT #2 - PCT. 1

(EXHIBIT B)

ITEM 4. PERMITS:

A. GTE - MILE 10 NORTH FROM MILE 4 WEST, EAST APPROX. 1180 FT. - PCT. 1

B. SOUTHWESTERN BELL TELEPHONE - CESAR CHAVEZ ROD. FROM SH 107 SOUTH TO TEXAS RD. - PCT 4

C. NORTH ALAMO WATER SUPPLY - TO CROSS 3 ½ STREET IN SAN CARLOS SOUTH OF SH 107

(EXHIBIT C)

ITEM 5. INTERNAL LINE ITEM TRANSFERS:

A. ELECTIONS DEPARTMENT \$1,500.00

B. SHERIFF'S DEPARTMENT - \$5,000.00

C. ADULT PROBATION - \$300.00

D. 332ND DISTRICT COURT - \$540.00

E. CONSTABLE PCT. 1 - \$250.00

F. PCT. 3 - \$6,923.00

G. COUNTY AUDITOR - \$2,250.00

H. HEALTH DEPARTMENT - \$1,000.00

I. JUVENILE PROBATION - \$1,500.00

(EXHIBIT D)

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

MOTION CARRIED

REGULAR AGENDA

ITEM 1. SHERIFF'S DEPARTMENT:

- A. AUTHORIZATION TO TRANSFER \$3,942.19 TO SHERIFF'S ACCOUNT #7-010-421-100.95 (MACHINERY & EQUIPMENT) MONIES WERE RECEIVED FROM THE AUCTION OF ABANDONED AND UNCLAIMED PROPERTY
- B. APPROVAL TO APPROPRIATE FUNDS FROM GENERAL FUND FOR PAYMENT OF BACK WAGES ASSESSED BY THE U.S. DEPARTMENT OF LABOR TOTALING \$27,075.07:
 - SALARIES - \$25,723.00
 - SOC. SEC. TAX & MEDICARE TAX - \$1,283.26
 - RETIREMENT - \$68.81

1A

Emilia Uriegas addressed the Court and stated that this money was received at a previous auction. They would like to place in line item 95. A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to authorize the transfer of \$3,942.19 to the Sheriff's Account that was money gained from auctioning of abandoned and unclaimed property.

MOTION CARRIED
(EXHIBIT E)

1B

Ms. Uriegas addressed the Court stated that these monies were for 17 individuals. These people have not filed a claim or were not part of the lawsuit. Manuel Cavazos stated that of the monies for the lawsuit, there is only \$2,000 left and there are some individuals filing claims and that amounts to more than the \$2,000. This money was derived at by the Department of Labor. The Commission had some concerns regarding this issue. Judge Ruiz felt that there should be some type of negotiation to come to a settlement agreement the way the other individuals were. After further brief comments, the Commission agreed that this needed to be negotiated. No further action was taken at this time.

NO ACTION
(EXHIBIT E)

ITEM 2. WIC:

- A. APPROVAL OF BUDGET AMENDMENT IN THE AMOUNT OF \$166,597 - WIC ADMINISTRATION GRANT #7460007176 97 - ATT #5
- B. APPROVAL TO CREATE 5 NEW POSITIONS:
 - 1. CLERK
 - 2. CLERK
 - 3. CLEANING AIDE
 - 4. LVN
 - 5. CLINIC MONITOR

Norma Longoria stated that this was from surplus monies and they would like to use some of these monies. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the appropriation of funds in the amount of \$165,597.

MOTION CARRIED
(EXHIBIT F)

2B

Ms. Longoria stated that this request is due to an increase in case load. They have increase from about 48 to 51 this year. After further comments, a motion was made by Commissioner Handy and was seconded by Commissioner Garces to authorize the creation of 5 new positions and setting salary as prescribed by figure.

MOTION CARRIED
(EXHIBIT F)

ITEM 3. HEALTH DEPARTMENT:

- A. RECLASSIFY VACANT POSITION #10 (ACCT. #7-010-441-700) FROM LVN TO TEXAS VACCINE FOR CHILDREN (TVFC) PROGRAM MANAGER
- B. SET SALARY AT \$24,845
- C. REQUEST BUDGET AMENDMENT FOR \$12,386 TO PURCHASE MOSQUITO CONTROL CHEMICALS

3A&B

Dr. James Keenan addressed the Court and stated that this was used to be done by a clerk with the help of an LVN. There is a manual that regulates this program and he feels that a program manager is needed to manage the program properly. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to authorize the reclassification of a vacant position which is position #10 as a program manager for the Texas Vaccine for Children and set salary at \$24,845 annually.

MOTION CARRIED
(EXHIBIT G)

3C

Dr. Keenan stated that this was needed due to the recent heavy rainfall and it causing an increase in mosquitoes. After further comments, a motion was made by Commissioner Garces and was seconded by Commissioner Handy to approve a budget amendment in the amount of \$12,386 for the purchase of mosquito control chemicals.

MOTION CARRIED
(EXHIBIT G)

ITEM 4. PCT. 2:

- A. APPROVAL OF BUDGET AMENDMENT IN THE AMOUNT OF \$5,000.00 TO ROAD ADMINISTRATION ACCT. 7-010-431-100 ITEM NUMBERS 12 &

4A

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

MOTION CARRIED
(EXHIBIT H)

ITEM 5. PCT. 4:

- A. AUTHORIZATION TO EXEMPT FROM COMPETITIVE BIDDING 1997 RUST ENVIRONMENT CONTRACT PREVIOUSLY APPROVED

5A

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

MOTION CARRIED
(NO EXHIBIT)

ITEM 6. THE HOUSING AUTHORITY OF HIDALGO COUNTY:

- A. APPROVAL TO RE-APPOINT HOUSING AUTHORITY BOARD MEMBERS FOR NEW TWO YEAR TERMS

6A

Judge Ruiz stated that they are re-appointing Joe Rodriguez of Edinburg and Juan Medina from pct. 1. A motion was made by Commissioner Handy and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(EXHIBIT J)

ITEM 7. TAX OFFICE:

- A. REFUND FOR ROLANDO GOMEZ - \$1,322.42
- B. REFUND FOR WAL-MART STORES - \$80,377.45
- C. REFUND FOR EFC INC. - \$1,383.86
- D. REFUND FOR LARRY MURPHY - \$556.63

7A,C&D

Armando Barrera stated that some of these were erroneous payments and the item for wal-mart is a judgment due to the suit of the appraisal district. Judge Ruiz took these up in separate motions. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(EXHIBIT K)

7B

Armando Barrera stated that this was a result of an agreed judgment. This in fact is a refund being that they have paid and now they are getting this money

APRIL 14, 1997

5

back to the judgment. Judge Ruiz stated that this money is coming from the County, Drainage District, Road District #5, South Texas Community College, McAllen ISD, Sharyland ISD, Edinburg ISD, Weslaco ISD and the City of Weslaco which we collect taxes for. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

MOTION CARRIED
(EXHIBIT K)

ITEM 9. URBAN COUNTY:

- A. CITY OF PALMVIEW - APPROVAL OF A CONSTRUCTION CONTRACT WITH MISSION PAVING CO. INC. FOR A STREET IMPROVEMENTS PROJECT - YEAR 1996
- B. CITY OF PALMVIEW - APPROVAL OF CONSTRUCTION CONTRACT WITH SASCON, INC. FOR A WATER AND SEWER IMPROVEMENT PROJECT - YR. 1996
- C. PCT. 3 - APPROVAL OF SUBRECIPIENT AGREEMENT WITH BOYS AND GIRLS CLUB OF PALMVIEW - FY 1995
- D. APPROVAL TO ENTER INTO CONTRACT WITH SOUTH TEXAS ECONOMIC DEVELOPMENT CORPORATION, INC. (CHDO) FOR COUNTY'S FY 1995 HOME PROGRAM
- E. HOME FIRST TIME HOME BUYER CONTRACT AGREEMENT AND LETTER OF COMMITMENT TO MORTGAGE COMPANY (3 FAMILIES)

9A

Anthony Covacevich stated that this contract is in the amount of \$153,042.49. This is a low bid. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to award low bid for a paving project in the City of Palmview to Mission Paving, the low bid of \$153,042.49.

MOTION CARRIED
(EXHIBIT L)

9B

Mr. Covacevich stated the amount of this contract is \$53,580 and it is also a low bid situation. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the low bid to Sascon Inc. for water and sewer improvements, City of Palmview, County of Hidalgo. Bid amount \$53,580.

MOTION CARRIED
(EXHIBIT L)

9C

Mr. Covacevich stated that this agreement was in the amount of \$7,500 and it will be used for youth activities. A motion was made by Commissioner Rosel and was seconded by Commissioner Handy to approve a sub-recipient agreement between the County of Hidalgo and the boys and girls club of Palmview in the amount of \$7,500.

MOTION CARRIED
(EXHIBIT L)

9D

Mr. Covacevich stated that the amount of this contract is \$10,804.50. This money will be used for new home construction in the Delta Area. There will be more funds coming from 1997 funds. A motion was made by Commissioner Handy and was seconded by Commissioner Arcaute to authorize the contract with South Texas Economic Development Corporation in the amount of \$10,804.50 for 1995 CHDO money.

MOTION CARRIED
(EXHIBIT L)

9E

Mr. Covacevich stated that there were 3 families that met the requirements for this program. A motion was made by Commissioner Rosel and was seconded by Commissioner Handy to approve 3 first time home buyer contract agreements and 3 letters of commitment to mortgage companies as presented.

MOTION CARRIED
(EXHIBIT L)

ITEM 10. PLANNING DEPARTMENT:

A. SUBDIVISIONS:

1. EVERGREEN DEVELOPMENT COMPANY UNIT #3 SUBDIVISION - PCT. 4

B. FINAL PLAT APPROVAL:

1. VALLE ESCONDIDO SUBDIVISION - PCT. 3

10A1

Emilio Garcia stated that the himself, pct. 4 foreman and the drainage district have conducted some inspections on this subdivision. He feels that lot 89 should not be approved due to easements of different entities. He also does not feel that some can build a home in this area due to the pipes, lumber, brush and other debris. The swales have also not been completed as well as some field drains. Mr. Garcia stated that the last inspection was conducted last week and it was not complete then. They have since received an affidavit stated that the swales have been completed. After inspection, they found that there were no swales completed. He recommendation is to do away with lot 89 and get a letter of credit in the amount of \$11,000 subject to approval of the County Engineer if they want immediate approval. Commissioner Garces stated they just inspected this subdivision prior to this meeting and he stated that the reason they were not done is because of the rain and them not being able to get to the area. Bob Gaston addressed the Court and stated that he can meet any requirements before this meeting is terminated. After further comments, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel. Judge Ruiz asked what was going to be done with lot 89. Commissioner Garces did not see a problem with this lot being that it was 17 acres and there being lots of useable land in and around the lot. Mr. Gaston stated that he had no problem leaving it out if that was the request of the Court. Judge Ruiz was in agreement with Mr. Gaston concerning lot 89. The motion to authorize the final plat approval to Evergreen Development Company Subdivision Unit #3 contingent on the letter of credit to be for a cost no less than \$11,000 only for the

APRIL 14, 1997
drainage was put to a vote.

7

MOTION CARRIED (COMM. ARCAUTE OPPOSED)
(EXHIBIT M)

10B1

Mr. Garcia stated that subdivision had been given preliminary plat approval in December of the previous year. All improvements have since been made by the developer. Upon his recommendation, a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve Valle Escondido Subdivision as final plat approval

MOTION CARRIED
(EXHIBIT M)

ADD. #1. PLANNING DEPARTMENT
A. SUBDIVISION FINAL PLAT APPROVAL
1. PENA-BLANCA ESTATES - PCT. 3

1A1

Mr. Garcia that this subdivision was approved by the City of Mission. There was some objection by some current residents of the area due to an easement that they did not approve of. The Commission had some concerns about the drainage of this subdivision. Judge Ruiz recommended that this subdivision be rejected. A motion was made by Commissioner Arcaute and was seconded by Commissioner Handy to reject.

MOTION CARRIED (REJECTED)
(EXHIBIT M)

ITEM 11. PURCHASING DEPARTMENT:

- A. APPROVAL TO RENEW, REVISE AND EXTEND LEASE WITH LARRY DITTBURNER FOR RENTAL OF OFFICE SPACE FOR THE DEPARTMENT OF PUBLIC SAFETY IN WESLACO TEXAS
- B. REQUEST EXEMPTION FROM THE COMPETITIVE BIDDING REQUIREMENTS FOR THE PURCHASE OF MOSQUITO SPRAY TO ACCOMMODATE THE NEED FOR APPLICATION DUE TO THE CURRENT LOCAL BREEDING CONDITIONS CREATED FROM THE RECENT FLOODING FOR A 60 DAY PERIOD
- C. REQUESTING EXEMPTION FROM THE COMPETITIVE BIDDING REQUIREMENTS FOR A PERIOD OF ONE YEAR TO INCLUDE THE FOLLOWING DEPARTMENTS - SHERIFF'S DEPT., YOUTH VILLAGE, HIDALGO COUNTY CSCD (ADULT PROBATION), RESTITUTION CENTER, JUVENILE PROBATION AND OTHER DEPARTMENTS NEEDING FOOD PURCHASES
- D. REQUESTING EXEMPTION FROM COMPETITIVE BIDDING REQUIREMENTS FOR PROFESSIONAL SERVICES/ENGINEERING SERVICES FOR IMPLEMENTATION OF TRAFFIC SAFETY POLICY ADOPTED BY COMMISSIONER'S COURT 3/25/97
- E. APPROVAL OF CONTRACT WITH TRAFFIC ENGINEERING & DESIGN

APRIL 14, 1997

8

- SYSTEMS, INC. FOR STUDIES, SERVICES AND DESIGNS RELATING TO THE TRAFFIC SAFETY PROCEDURE POLICY
- F. APPROVAL OF CONTRACT FOR TYPE D HOT MIX - VALLEY CALICHE
 - G. APPROVAL OF CONTRACT FOR TYPE D HOT MIX - FRONTERA MATERIALS
 - H. APPROVAL OF CONTRACT FOR GASOLINE & DIESEL FUEL - DISCOUNT OILS, LUBRICANTS & FUELS, INC.
 - I. AUTHORITY TO ADVERTISE FOR ONE 1997 OR NEWER 15 PASSENGER WINDOW VAN - RESTITUTION CENTER
 - J. APPROVAL TO ADVERTISE FOR 10 PERSONAL COMPUTERS AND FIVE HP-LJ5 PRINTERS
 - K. AWARD BID FOR HUMANE SERVICES - UPPER VALLEY HUMANE SOCIETY
 - L. AWARD BID FOR RENTAL SPACE IN THE CITY OF McALLEN SOUTH - WIC
 - M. AWARD BID FOR PROGRAMMING SERVICES TO IMPLEMENT THE SOFTWARE COMPONENT OF THE NATIONAL CRIME HISTORY IMPROVEMENT PROGRAM (NCHIPS) - SHERIFF
 - N. REQUESTING AUTHORITY TO PURCHASE ONE 1997 EXPEDITION THROUGH THE INTERLOCAL AGREEMENT WITH THE HOUSTON GALVESTON AREA COUNCIL - TOTAL COST \$29,380.74
 - O. REQUESTING AUTHORITY TO ADVERTISE FOR BUILD-LEASE PROJECT - HIDALGO COUNTY SUB-STATION IN THE CITY OF WESLACO

11A

Martha Salazar stated that this agreement is a renewal. The amount will stay the same. A motion was made by Commissioner Garces and was seconded by Commissioner Handy to renew the revised extended lease with Mr. Larry Dittburner for a period of one year for office space for the Department of Public Space.

MOTION CARRIED
(EXHIBIT N)

11B

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to authorize an exemption from the competitive bidding under purchasing emergency and the need for public safety and public health for the purchase of mosquito spray for a period not to exceed 60 days and/or the budget that was approved.

MOTION CARRIED
(EXHIBIT N)

11C

Judge Ruiz stated that this is done annually and the exemption is for one year. After further comments, a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize an exemption from the competitive bidding requirement under food services for detention for a period of one year for the Sheriff's Department, Youth Village, Adult Probation, Boot Camp, Adult Probation

Restitution Center, Juvenile Probation and other departments needing food purchases.

MOTION CARRIED
(EXHIBIT N)

11D

A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to authorize the exemption from competitive bidding requirements for professional services/engineering for the traffic safety policy adopted by Commissioner's Court.

MOTION CARRIED
(EXHIBIT N)

11E

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

MOTION CARRIED
(EXHIBIT N)

11F

Mrs. Salazar stated that this was a multiple award. The first is with Valley Caliche. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

MOTION CARRIED
(EXHIBIT N)

11G

Mrs. Salazar stated that this was Frontera Materials. A motion was made by Commissioner Arcaute to approve a contract for type D hot mix with Frontera Materials as presented.

MOTION CARRIED
(EXHIBIT N)

11H

Mrs. Salazar stated that this was awarded January 21. A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to approve a contract with Discount Oils for the purchase of gasoline & diesel fuel for the County of Hidalgo for a period of one year.

MOTION CARRIED
(EXHIBIT N)

11I
NO ACTION

11J

APRIL 14, 1997

10

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to authorize the advertisement for bids for the purchase of personal computers and printers for the Auditor's Office.

MOTION CARRIED
(EXHIBIT N)

11K

Mrs. Salazar stated that this bid was opened April 2. There was only bidder and she is recommending the award. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to award bid to the sole and low bidder be it the Upper Valley Humane Society. The Bid is \$92,057.

MOTION CARRIED
(EXHIBIT N)

11L

Mrs. Salazar stated that there was only one bidder which was by the present vendor. She is recommending approval of the bid. The amount of the bid is .69 cents per square foot. A motion was made by Commissioner Handy and was seconded by Commissioner Garces to award bid to Carlos Franco for his low bid and sole bid for rental space, City of McAllen for the WIC program.

MOTION CARRIED
(EXHIBIT N)

11M

Mrs. Salazar stated that this component is funded through grant funds. This has been previously approved. There was only one bid by Earl Hunt & Assoc. for \$32,000. This will be funded by CJAD. After further comments, a motion was made by Commissioner Garces and was seconded by Commissioner Handy to award bid for program and services to implement the software component of the NCHIPS in the Sheriff's Department to Earl R. Hunt & Assoc. Inc. in the amount of \$32,000.

MOTION CARRIED
(EXHIBIT N)

11N

Mrs. Salazar stated that this vehicle is for pct. 3. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the purchase of one 1997 Expedition through the interlocal agreement with Houston Galveston Area and the cost of \$29,380.74.

MOTION CARRIED
(EXHIBIT N)

11O

A motion was made by Commissioner Handy and was seconded by Commissioner Garces to authorize the advertisements for bids for build lease project for a sub-station, County of Hidalgo in the City of Weslaco.

MOTION CARRIED
(EXHIBIT N)

ITEM 12. DISCUSSION AND POSSIBLE ACTION REGARDING LEGISLATION REGARDING COUNTY

GOVERNMENT:

- A. HB REGARDING COUNTY COURT AT LAW JUDGES
- B. APPROVAL FOR A RESOLUTION ALLOWING HIDALGO COUNTY TO PARTICIPATE IN REQUESTING CHANGES IN THE PAROLE VIOLATORS REQUIREMENTS:
 - 1. CHARGING THE STATE REIMBURSEMENT AT A RATE OF \$35 A DAY FOR THE ARREST, TRANSPORTATION, DETENTION, HOUSING, FEEDING AND CARE OR
 - 2. ALLOWING THE IMMEDIATE DELIVERY OF PAROLE VIOLATORS TO A STATE FACILITY

12A

Judge Ruiz stated that this will give County Court at Law Judges more authority in their cases taking them up \$500,000 in civil cases thus giving authority to earn \$1000 less than District Judges. Judge Ruiz felt that if they were going to increase their jurisdiction, they should give them authority to try criminal cases. During further comments, Judge Ruiz mentioned the concerns of the fiscal impact on the County if this bill were to pass. He would not have any problem with this if they will raise the filing fees from \$5 to \$22 to offset the impact to the County and also if they give the County Courts authority in criminal cases. After further comments, the Commission decided to send a letter to Juan Hinojosa and the Committee stating that they are requesting that the bill be amended to give jurisdiction as the District Courts in terms of criminal cases and that the fees be raised to \$22 to recover the funds necessary to pay for the salary increases. Commissioner Garces so moved and was seconded by Commissioner Arcaute.

MOTION CARRIED
(NO EXHIBIT)

12B1&2

Judge Ruiz stated that they have voted in favor of charging the State for the arrest, transportation, detention, housing feeding and care at a rate of \$35 per day for parole violators. There have been several other counties passing this resolution requiring the State to pay these fees. As of this morning, according to Roy Quintanilha, they have 86 violators in the County Jail. 48 are blue warrants of which they have to hold them a minimum of 90 days until there can be a hearing for them. 28 of those have pending felonies. 2 have had their parole revoked but have pending felonies and 8 are ready to be transported but have not been picked up. After some discussion, the Commission agreed to pass this resolution. A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to approve a resolution sending it to the State of Texas addressing blue warrants to either pay us \$35 for housing them or housing them in their own facilities.

MOTION CARRIED
(EXHIBIT O)

ITEM 8. OFFICE OF EMPLOYMENT AND TRAINING:

A. DISCUSSION AND POSSIBLE ACTION FOR AUTHORIZATION TO ENTER INTO LEASE AGREEMENT FOR CHOET McALLEN & WESLACO CENTERS

8A

Dick Dickinson addressed the Court and stated the only proposal they got was for the Weslaco site. That bid was for 90 cents per square foot. He does not feel that it will meet the needs of OET. There is a lack of parking space and there is more room that is needed. The renovation will not be complete within the time frame. He would like to re-advertise to attempt to find something more suitable or take this as the last resort. A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to reject all bids and authorize the advertisement for bids for office space needs for OET in the Weslaco Area.

MOTION CARRIED (REJECTED)
(EXHIBIT P)

Mr. Dickinson stated that he feels that they have found an office that will meet their needs. It is lacking some renovations. They received a bid at 30 cents per square feet. There are some final negotiations that need to be completed. The Commission had some concerns with regards to the amount of space. Judge Ruiz stated if this was okay from the State that it was okay to negotiate then that he go ahead and do it. Mr. Dickinson stated that he has gotten oral confirmation but Judge Ruiz wanted something in hard copy form. Following further brief comments, the Commission took no further action.

NO ACTION (McALLEN SITE)
(EXHIBIT P)

A motion was made by Commissioner Garces and was seconded by Commissioner Handy to adjourn Commissioner's Court.

MOTION CARRIED

There being no further business to come before the Commission, this meeting is adjourned.

DRAINAGE DISTRICT

The Honorable J. Edgar Ruiz, County Judge, called this Drainage District Board Meeting to order, whereupon the following items were had to wit:

CONSENT AGENDA

ITEM 1. PERMITS:

A. CITY OF McALLEN FOR TRIPLE B MOBILE PARK
(EXHIBIT Q)

APRIL 14, 1997

13

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

MOTION CARRIED
(EXHIBIT Q)

REGULAR AGENDA

ITEM 1. APPROVAL OF REQUEST OF TURNER, COLLIE & BRADEN FOR TIME EXTENSION ON
FLOOD STUDY CONTRACT

Vona Walker addressed the Court and stated that the reason for this request is due to the Texas Water Development Board delaying the delivery of contract upon approval by the Commission. They could not begin work until the contract was delivered. They are now requesting this extension. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve time extension for the contract with Turner, Collie & Braden on flood study.

MOTION CARRIED
(EXHIBIT R)

ITEM 2. APPROVAL TO RESCIND BUDGET AMENDMENT APPROVED 4/8/97 IN THE AMOUNT OF
\$1,500 DUE TO ERROR IN ACCOUNT NUMBER

Mrs. Walker stated that there was an error the previous week and she would like to rescind this amendment. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize and rescind our previous action approving a budget amendment in the amount of \$1500.

MOTION CARRIED
(EXHIBIT S)

ITEM 3. APPROVAL OF BUDGET AMENDMENT IN THE AMOUNT OF \$4,500 #7-080-433-100.12
OFFICE EQUIPMENT FROM 7-080-433-200.63

Mrs. Walker stated that this was for a copier. A motion was made by Commissioner Garces and was seconded by Commissioner Handy to approve the re-appropriation of funds through a budget amendment of \$4,500 as presented.

MOTION CARRIED
(EXHIBIT S)

ITEM 4. AWARD BID FOR ONE 1993 OR NEWER HYDRAULIC EXCAVATOR WITH LONG REACH
AND LESS THAN 4000 HOURS

Martha Salazar stated that there was one bidder and she is recommending the

APRIL 14, 1997

14

award to the sole bidder. There was some questions as to the specs for this equipment being that there was only one bidder. Judge Ruiz also questioned the condition of this excavator. After some discussion, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to take this bid under advisement for a purchase of a hydraulic excavator 1993 or newer.

MOTION CARRIED
(EXHIBIT T)

ITEM 5. DECLARE SURPLUS 1 SECRETARIAL CHAIR #025735, 1 VICTOR CALCULATOR (NO ASSET #) AND 1 35mm CAMERA (NO ASSET #)

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the declaration of equipment surplus in the drainage district and authorize our purchasing department to dispose of said equipment.

MOTION CARRIED
(EXHIBIT T)

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to adjourn Drainage District #1.

MOTION CARRIED

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