

COMMISSIONERS' COURT

The Honorable Renato Cuellar, County Judge, called the Commissioners' Court meeting to order, whereupon the following proceedings were had, to-wit:

CONSENT AGENDA

ITEM 1. APPROVAL OF CHECK REGISTER AND PAYMENT OF CLAIMS/BILLS - COUNTY AUDITOR

(See Exhibit A)

ITEM 2. APPROVAL OF MONTHLY COLLECTION REPORTS:

A. Justice of the Peace:

1. Ismael "Melo" Ochoa May 1997 \$14,117.24
2. Ismael "Melo" Ochoa April 1997 \$18,155.23
3. Gilberto Saenz May 1997 \$12,960.60
4. Dario Martinez May 1997 \$10,134.15

B. District Clerk June 1997 \$92,715.51

- C. Sheriff's Department March 1997 \$52,586.79
April 1997 \$34,588.12
May 1997 \$41,778.13

D. County Clerk June 1997 \$259,048.58

(See Exhibit B)

ITEM 3. PLANNING DEPARTMENT

A. Subdivisions

1. North McColl Business Park - Pct. #2
2. North Oak Subdivision - Pct. #2
3. Plantation South Subdivision Unit #6 - Pct. #2
4. Crown Pointe Phase No. 2 - Pct. #3
5. Mission Water Plant No. 2 - Pct. #3
6. Tejas Building Subdivision - Pct. #3

(See Exhibit C)

ITEM 4. PERMITS

A. Precinct #1

1. Engleman Irrigation District

- 2. Southwestern Bell Telephone
 - 3. North Alamo Water Supply
 - B. Pct. #2
 - 1. Southwestern Bell Telephone Company
 - 2. Gulf Energy Corporation
 - C. Precinct #3
 - 1. Sharyland Water Supply Corporation
 - D. Precinct #4
 - 1. North Alamo Water Supply
 - 2. Southwestern Bell Telephone
- (See Exhibit D)

ITEM 5. INTERNAL LINE ITEM TRANSFERS

- A. Sheriff's Department - Jail - \$11,510.17
- B. Sheriff's Department - U.S. Dept. of Justice Immigration Program - \$21.67
- C. Sheriff's Department - U.S. Dept. of Justice Immigration - \$20.00
- D. WIC - \$100.00
- E. Precinct #2 - Parks - \$800.00
- F. Health Department - TDH IMM/IAP Copay - \$12,491.24
- G. Health Department - TDH TB/ELIM Copay - \$200.42
- H. Health Department - TDH TB Control - Copay - \$1,694.36
- I. Health Department - TDH Title V Copay - \$3,315.40
- J. Health Department - TDH ORAS Copay - \$16.21
- K. Health Department - Sanitation - \$650.00
- L. J.P. Pct. #4 PI. #1 - \$1,000.00
- M. Sheriff's Department - General Fund - \$5,000.00
- N. 139th District Court - \$1,200.00
- O. Hidalgo County Historical Commission - \$1,000.00
- P. Treasurer - \$65.00
- Q. J.P. - Gilberto Saenz - \$902.00
- R. County Court at Law #2 - \$70.00
- S. Health Department - 7-010-441-100 - \$2,000.00
- T. Purchasing Department - \$2,500.00
- U. County Extension Service - \$1,500.00
- V. Precinct #1
 - 1. Park Fund - \$8,000.00
 - 2. Road & Bridge - \$5,000.00
- W. Veterans Service - \$485.84
- X. Health Department - MOVED TO THE REGULAR AGENDA/PURCHASING
- Y. Precinct #2 - Paved and Unpaved - \$10,000.00

Z. County Court at Law #3 - \$1,000.00
AA. Constable Pct. #4 - \$500.00
(See Exhibit E)

The County Judge introduced the consent agenda and asked if there were any changes. Commissioner Rosel had a concern with Item 5/X and after a brief discussion it was recommended that Item 5/X be moved to the Regular Agenda under Purchasing. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to accept the consent agenda as presented with the exception for item on the internal line item transfers on Item number 5 and alphabet letter "X" which involves the Health Department and it will be picked up with the appropriate item on the regular agenda involving the Health Department.

MOTION CARRIED.

REGULAR AGENDA

ITEM 1. ORDER NAMING COUNTY PARK AT HACKBERRY AND MCCOLL ROAD - CHARLES E. CURTIS, SR. PARK

Commissioner Arcaute informed the Court that he was requesting the adoption of an order and a resolution naming the county park located at Hackberry and McColl Road, which is referred to as Palmer Pavilion, as Charles E. Curtis, Sr. Park. The County Judge then proceeded to read the resolution. A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to approve the adoption of the resolution, as presented.

MOTION CARRIED.
(See Exhibit F)

Vona Walker then stated that Mr. Curtis would have been proud of this as this was one of his greatest accomplishments. She then thanked the Commissioners' Court on behalf of his family and his friends. The County Judge then asked for a moment of silence to Mr. Curtis

ITEM 2. TAX OFFICE

A. Approval to pay tax refund in the amount of \$554.98 to Aurora Beltran

Yolanda Villescás came before the Court requesting approval of a tax refund in the amount of \$554.98 to Aurora Beltrán on an over 65 exemption. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit G)

ITEM 3. COUNTY JUDGE'S OFFICE

- A. Approval of Budget Amendment in the amount of \$844.00
- B. Approval to pay membership dues to Lower Rio Grande Valley Development Council

3/A

Loura Etnire, Chief Administrative Assistant to the County Judge, informed the Court that they were requesting a budget amendment in the amount of \$844.00 in order to pay the Lower Rio Grande Valley Development Council membership dues. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the \$844.00 budget amendment.

MOTION CARRIED.
(See Exhibit H)

3/B

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to pay the membership dues to the Lower Rio Grande Valley Development Council in the amount of \$24,144.00.

MOTION CARRIED.
(See Exhibit H)

ITEM 4. CENTRAL PBX

- A. Budget Amendment - Central PBX - \$70,000.00

Mrs. Etnire was requesting a budget amendment in the amount of \$70,000.00 that should pay for the balance of the year for the PBX. She explained that this included all the departments plus two months of 1996. A brief discussion ensued with regards to what this system entailed and the long distance access within the County. A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve

the \$70,000.00 for the Central PBX System which includes the new services including Juvenile Department, Precinct Four, the Health Department and the Human Services.

MOTION CARRIED.
(See Exhibit I)

ITEM 5. COUNTY COURT AT LAW #1

- A. Approval of budget amendment in the amount of \$1,200.00 to cover postage expenses for the remainder of the year

County Court at Law Judge Rodolfo “Rudy” Delgado came before the Commissioners’ Court requesting approval of a budget amendment in the amount of \$1,200.00 to cover postage expensed for the remainder of the year. After a brief discussion a motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit J)

ITEM 6. HEALTH DEPARTMENT

- A. Approval of Budget amendment to provide an additional \$108,000.00 for the completion of the Pulmonary Clinic

Dr. James Michael Keenan, County Health Director, came before the Court requesting approval of a budget amendment to provide an additional \$108,000.00 for the completion of the pulmonary clinic. A discussion ensued with regards to the high cost of this project with comments from the Commissioners and Dr. Keenan. A motion was made by Commissioner Arcaute and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit K)

ITEM 7. COUNTY TREASURY

- A. Consideration and approval to decrease slot #2 by \$2,200.54
- B. Approval to increase slot #4 from \$13,244.05 to \$18,011.88

7/A

Norma Garcia, County Treasurer, came before the Court requesting the reduction of slot #2 by \$2,200.54. She explained that this slot had a surplus of \$2,200.54 and she was wanting to take this amount and increase the lowest salaried slot in her department in order to bring the salaries more in line with each other. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit L)

7/B

Mrs. Garcia now requested that these monies be put into slot #4 in order to increase the slot from \$13,244.05 to \$18,011.88. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit L)

ITEM 8. PRECINCT #1

- A. Discussion and appropriate action authorizing the disbursement of County-wide Road & Bridge Funds to the Precinct/Precincts Road & Bridge Fund

Commissioner Handy was requesting that no action be taken on this item at this time.

NO ACTION.
(See Exhibit M)

ITEM 9. BUILDINGS AND GROUNDS

- A. Approval of Certificate of Substantial Completion - VA Architecture
- B. Approval of request for payment #7 - Architect Fees - (Rey Vargas)
- C. Approval of Application & certification for payment #1 - Rio Roofing, Inc. - Roof replacement and repairs at the courthouse

9/A

Loura Etnire reported that this was on the replacement of the roof at the courthouse. She was requesting approval of a certificate of substantial completion. A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve the request as presented.

MOTION CARRIED.
(See Exhibit N)

9/B

The next request was for approval of payment #7 for architect fees to Rey Vargas. The amount of the payment was \$1,1179.60. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the payment.

MOTION CARRIED.
(See Exhibit N)

9/C

The final request under Buildings and Grounds was for approval of payment number one to Rio Roofing, Inc. The amount of the payment is \$93,385.00. A motion was made by Commissioner Arcaute and seconded by Commissioner Handy to approve the application and certification for payment number one to Rio Roofing, Inc., for roof replacement and repairs at the courthouse.

MOTION CARRIED.
(See Exhibit N)

ITEM 10. APPROVAL TO EXEMPT FROM COMPETITIVE BIDDING REQUIREMENT AND APPROVAL OF EDUCATION SERVICES CONTRACT WITH PABLO MARTINEZ JR. - CONTRACT PERIOD THROUGH AUGUST 31, 1997 - CONTRACT AMOUNT - \$4,800.00

Joe Lopez, Adult Probation Director, came before the Court requesting approval of an exemption for Pablo Martinez, Jr. for educational services. The amount of the contract is \$4,800.00. A discussion ensued with regards to the services that would be provided and if he qualified under professional services. Commissioner Rosel indicated that he had a problem with the exemption and what were the qualifications under professional services. After further discussion no action was taken on this item.

NO ACTION.
(See Exhibit O)

ITEM 11. COUNTY AUDITOR'S OFFICE

A. Appropriate \$36,000.00 in Court Reporter Service Fund No. 109

Manuel Cavazos, the County Auditor, was requesting the appropriation of \$36,000.00 into the Court Reporter Service Fund #109. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit P)

ITEM 12. URBAN COUNTY

- A. City of Alamo - approval of a construction contract with Sascon, Inc. for FY 1995-1996 PFI Street Improvements
- B. Precinct #1 - Approval of Change Order No. 1 with Mission Paving Company, Inc. for FY 1996 PFI - Street Improvements
- C. As per Project Engineer and County Commissioner Pct. #2, the following Change Order #1 for Pct. #2 - Street Improvements and Mission Paving Inc. have been submitted for County Commissioners' Court Approval at the meeting of July 14, 1997
- D. Precinct #4 - Parks, Recreational Facilities - Approval of Construction Contract with Big John Construction Company
- E. Extension of "Letter of Commitment" to Mortgage Company on HOME "First-Time Homebuyer Contract Agreement"
- F. HOME/Homeowner Occupied Housing Rehab Application
- G. HOME "First-Time Homebuyer Contract Agreement" and Letter of Commitment to Mortgage Company (5 families)
- H. Approval of a Professional Service Contract with Raba-Kistner Consultants, Inc. in the amount of \$3,000.00 for the purpose of developing testing standards in the construction for public facilities funded by the Urban County Program
- I. Precinct #2 - Senior Services - Subrecipient Agreement - UCP Year 9, 1997 Amigos Del Valle Inc. - City of San Juan
- J. Approval of Invest Learning Corporation as sole source vendor for Invest Destinations TM software program and authorization to purchase of the software in the amount not to exceed \$40,000.00

- K. Public Hearing on an Order designating certain real property within the unincorporated area of Hidalgo County as a Reinvestment Zone and approval of the Order
- L. Approval of tax abatement agreement with SCI Development Services, Inc. (Lessor) and Stuart Entertainment, Inc. (Lessee) as per the Guidelines and Criteria for Granting Tax Abatement in Reinvestment Zones adopted by the Commissioners' Court on April 29, 1997

12/K

Jaime Sandoval, from the Urban County Program, announced that they would like to take item 12/K first. He stated that this item called for a public hearing for an order designating certain real property within the unincorporated area of Hidalgo County as a reinvestment zone and for approval of that order. Mr. Sandoval stated that this was on a 12.045 acre tract of land out of Lot 58 John H. Shary Subdivision out of Porciones 58, 59 and 60, Hidalgo County, Texas as recorded in volume 1, page 17, deed records of Hidalgo County Texas. The County Judge then called the public hearing open. Mr. Sandoval added that this site was located near the present Industrial Park off of F.M. 1016. He then introduced Mr. Mike Allen, from the McAllen Economic Development Corporation who proceeded to give a brief overview as to what would be done with the site. A discussion ensued with regards to the type of service that would be provided and the number of jobs that it would create as well as a recap of what other development has been done in the area with questions and comments from Mr. Allen and the Commissioners' Court. There being no further comments the public hearing was closed.

NO ACTION.
(See Exhibit Q)

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the order to designate certain real property which as described in the public hearing above as a reinvestment zone.

MOTION CARRIED.
(See Exhibit Q)

12/L

the next item was for approval of a tax abatement agreement with SCI Development Services, inc. (Lessor) and Stuart Entertainment,

Inc. (Lessee). A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

12/A

Mr. Sandoval reported that the City of Alamo was requesting approval of a construction contract with Sascon, Inc. under street improvements for Years 1995-1996. The amount of the contract was \$188,056.90. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

12/B

Precinct One was requesting approval of a change order #1 with Mission Paving Company under FY 1996 for street improvements. The change order was for \$11,098.57 and it was for additional hot mix. These monies will be paid out of Precinct One's County Road and Bridge Fund. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

12/C

Precinct Two was requesting approval of a change order #1 with Mission Paving Inc. This was for street improvements under FY 19. The change order #1 was for \$7,930.04. A motion was made by Commissioner Arcaute and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

12/D

Precinct Four was requesting approval of a construction contract with Big John Construction Company for the Parks and Recreational Facilities. The amount of the contract is \$10,300.00. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

12/E

Mr. Sandoval stated that they were requesting approval of an extension of a letter of commitment to mortgage company on a HOME "First-Time Homebuyer Contract Agreement". The extension was based on six applicants and their homes were currently still under construction. The mortgage was requesting an additional ninety days for the completion of these homes. A motion was made by Commissioner Garces and seconded by commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

12/F

Approval was being requested on a HOME/Homeowner Occupied Housing Rehab application. The amount of the application was for up to \$12,000.00 and it was in the City of Palmview and the applicant is Maria De Jesus Espinoza. A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

12/G

The next item was for approval of a HOME "First-Time Homebuyer Contract Agreement" and letter of commitment to mortgage company. This is for five families. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

12/H

Mr. Sandoval announced that the Urban County Program was requesting approval of a professional service contract with Raba-Kistner Consultants, Inc. in the amount of \$3,000.00 for the purpose of developing testing standards in the construction of public facilities. He stated that a budget amendment had previously been approved on April 22nd for this

contract. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

12/I

Precinct Two was requesting approval of a subrecipient agreement with Amigos Del Valley, Inc. and the City of San Juan. This is for Senior Services out of their Year 9 funds. The amount of the agreement is \$5,000.00. A motion was made by Commissioner Arcaute and seconded by Commissioners Garces and Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

12/J

Mr. Sandoval stated that the next item was for approval of Invest Learning Corporation as a sole source vendor. He gave a little background on how this software program would be instrumental assisting at-risk youth in the colonias as well as adults for GED, adult education purposes or for English as a second language program. After a brief discussion regarding the sole source declaration, a motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

ITEM 13. PLANNING

A. Subdivisions

1. Capisallo Terrace Unit No. 3 - Pct. #1
2. Diamond V. Subdivision -Pct. #3
3. Joykin Julian Subdivision - Pct. #4

B. Preliminary Plat Approval

1. Monte Alto Acres Phase I - Pct. #4

C. Release of Letter of Credit

1. R.M.R. Subdivision - Pct. #1
2. Whitewing Subdivision No. 2 - Pct. #2

D. Discussion and possible action

1. Vacating Plat - Victoria Plaza Subdivision - Pct. #1

13/A/1

Roy Gonzalez came before the Court announced that they were requesting that no action be taken on Capisallo Terrace Unit No. 3 at this time as the drainage permit has not been approved by this Commissioners' Court.

NO ACTION.
(See Exhibit R)

13/A/2

Mr. Gonzalez continued by saying that they were requesting approval of Diamond V. Subdivision. It was in Precinct Three located approximately 300 feet north of Mile 9 North and on the west side of Los Ebanos Road. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit R)

13/A/3

Mr. Gonzalez announced that no action was required on Joykin Julian Subdivision at this time.

NO ACTION.
(See Exhibit R)

13/B

Preliminary plat approval was being requested of Monte Alto Acres Phase I Subdivision. This was in Precinct One located approximately 1000 feet north of FM 2814 and on the east side of First Street. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit R)

13/C/1

Mr. Gonzalez announced that no action was required on R.M.R. Subdivision at this time.

NO ACTION.
(See Exhibit R)

13/C/2

The next request was for a release of a letter of credit on Whitewing Subdivision No. 2. A motion was made by Commissioner Arcaute and seconded by Commissioners Garces and Handy to approve the request as presented.

MOTION CARRIED.

(See Exhibit R)

13/D

The Planning Department was requesting that no action be taken on this item as per the advise of Legal Counsel. Mr. Steve Crain then proceeded to explain that he had a problem in that this property was put into a trust with two trustee. He stated that anytime you want to vacate a plat all the land owners have to sign off on that plat and as per this trust agreement both trustees would have to sign.

NO ACTION.

(See Exhibit R)

ITEM 14. PURCHASING DEPARTMENT

- A. Award of bid for (10) Ten Personal Computers and/or Five (5) Laser Printers - Auditor's Office
- B. Boot Camp
 - 1. Authority to advertise for "Paving on Outdoor Running Track"
 - 2. Authority to advertise for "Pavilion with basketball standard, backboard, rims and net"
- C. Health Department
 - 1. Authority to declare surplus a vehicle (1) one 1990 Chevrolet Van with asset #21895
 - 2. Authority to declare surplus for salvage one (1) 1989 Chevrolet ½ ton pick-up with asset #21270
- D. Approval of payment to settle claim for the lease payments on Health Department phone systems, amount of claim is \$8,553.17
- E. Discussion and possible action on approval of "amended" specifications as to initial lease period from "5 years with 5 year option to renew" to "10 years with 5 year option to renew" for Build Lease Project for Pct. #1
- F. Award bid for New Paving for Anzalduas park
- G. Precinct #3

1. Discussion and possible action as to request by low bidder to withdraw bid submitted on Culvert pipe installation project for Pct. #3
 2. Discussion and possible action to accept or reject the other bids submitted (on same project due to withdrawal request) proceed to award or request authority to re-advertise if necessary
- H. Authority to advertise for Labor for Installation of HDPE (high density polyethylene liner) - Pct. #3
- I. Approval of contract with Mission Paving on Conway North of Monte Cristo project
- J. Approval to advertise for "installation and removal of Vehicles"
- K. Approval to advertise for "Radio Communication and Emergency Equipment Repair Service"
- L. Award Sheriff's Department to sole bidder for fires
- M. Sheriff's Department
1. Requesting exemption from competitive bidding requirements for Nursing Services under Texas Local Government Code 262.024 (a) (2) and/or (4)
 2. Discussion and possible action on contract for Nursing Services with A.P.C. for the Hidalgo County Sheriff's Department - Adult Detention Center
 3. Requesting authority to advertise for "A/C service and repairs"
 4. Requesting authority to advertise for "Electrical service and repairs"
- N. WIC
1. Authority to advertise for "Catalogue" Miscellaneous Office Supplies, administrative Office Furniture and Office Equipment
 2. Requesting Authority to advertise for medical supplies

14/A

Aurelio Zapata, from the Purchasing Department, came before the Court requesting the awarding of a bid for ten personal computers and five laser printers for the Auditor's Office. The low bidder on the computers was RSD, out of McAllen at a bid price of \$10,088.00. The low bidder on the printers was Computer Education Solutions at a bid price of \$5,135.00. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.

(See Exhibit S)

14/B

Mr. Zapata reported that the Adult Boot Camp was requesting authority to advertise for “paving on outdoor running track” and “pavilion with basketball standards, backboard, rims and net.” A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

(See Exhibit S)

14/C

The Health Department was requesting the declaration of a 1990 Chevrolet Van (asset #21895) and a 1989 Chevrolet ½ ton pick-up (asset #21270) as surplus. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.

(See Exhibit S)

14/D

The next item was for approval of payment to settle claim for the lease payments on Health Department phone systems in the amount of \$8,553.17. Mr. Zapata explained that the expenditure on this item was mis-coded as a phone service as opposed to a phone lease. It was then brought to the attention of the Purchasing Department by the Auditor’s Office that this had not been properly procured. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.

(See Exhibit S)

The Commissioners’ Court then went back to Item 5/X from the Consent Agenda with regards to a line item transfer for the payment of the above-mentioned claim. The amount of the line item transfer was \$9,000.00. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

(See Exhibit S)

14/E

Mr. Zapata explained that he had provided the Court with the revision on this particular contract. The revision was for a ten year contract with a five year option instead of a five year contract with a five year option. He added that they had incorporated Item 25 from their boiler plate contracts and it seemed to satisfy both Legal counsel and the vendor. A discussion ensued with regards to the bidding process on this project and the pros and cons of the revision. Commissioner Rosel was for revising to a ten year contract because he felt that it would probably bring in more competitiveness amongst the developers. Commissioner Handy, on the other hand, was for keeping the five year term. Her reasoning was that if the building was in need of repair after the five years then the lessor would be willing to maintain the building in order to retain the option. The issue of utilizing a county-owned building versus leasing also came up and Commissioner Arcaute recommended that they take no action until they find out if there is a cost savings in leasing. After a lengthy discussion, a motion was made by Commissioner Handy and seconded by Commissioner Garces to keep the terms as originally advertised with the five year lease with the five year option. Commissioner Arcaute asked what would prompt the County not to option for the additional five years and Commissioner Handy explained that if the building was not kept up after the five years and this resulted in further discussion. Commissioner Rosel then asked that the motion be restated and the Judge Cuellar informed him that the motion was to re-advertise with the stipulation with the change being five year option to make sure that there is no confusion there and then subject to added language as to the approval of the lease so that the person who is going to bid knows that they are going to have to meet these specifications.

MOTION CARRIED.
(See Exhibit S)

14/F

Mr. Zapata reported that this item was for awarding the bid for new paving at Anzalduas Park. He added that there was a stipulation in that the vendor would have to hold the price for approximately six months pending an underground irrigation project that still has to go through the procurement process. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to take this item under advisement.

MOTION CARRIED.
(See Exhibit S)

14/G

Mr. Zapata stated that it was the request of the low bidder, the 5125 Company, to withdraw his bid submitted for the culvert pipe installation project for Precinct Three. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit S)

14/H

The next item was to accept or reject the other bids submitted and award based on those or to re-advertise. A discussion ensued with some concerns from Commissioner Rosel. During this discussion, Judge Cuellar made a motion to allow the Commissioner from Precinct Three to check the specifications and if he is satisfied with them to go ahead and accept that award or to come back to Court and re-advertise. Commissioner Rosel asked Steve Crain, the County legal Counsel, for his opinion in the matter. Mr. Crain recommended that he either take the bids under advisement or to accept the next low bidder or to reject and re-advertise. Mr. Crain also mentioned that he would advise that this matter be brought back at a later date and have the whole Court vote on it rather than have one Commissioner bear the burden of making a decision. The County Judge then withdrew his motion. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to take the bids under advisement.

MOTION CARRIED.
(See Exhibit S)

14/H

Mr. Zapata announced that the next item was for authority to advertise for labor for the installation of high density polyethylene (HDPE) liner for the Precinct Three landfill. Commissioner Rosel made motion to advertise for the liner for the Precinct Three landfill. Commissioner Arcaute asked him if he had enough money within his budget for this expense and the response was that there was not. Commissioner Rosel then withdrew his motion until they address the monetary issues with regards to this item. After further discussion it was requested that no action be taken on this item at this time.

NO ACTION.

(See Exhibit S)

14/I

The following item was for approval of a contract with Mission Paving Company on a project on Conway north of Monte Cristo. Mr. Zapata explained that this contract had been modified as the vendor did not want to sign the original contract as it was worded. He added that under the advise of legal counsel Item 8 of the contract was replaced with a clause that came out of the boiler plate contracts and modification had been agreed upon by both the vendor and legal counsel. A discussion ensued with regards to how this situation came about after which a motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit S)

14/J

Mr. Zapata reported that no action would be needed on this item at this time.

NO ACTION.
(See Exhibit S)

14/K

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the advertisement for "radio communication and emergency equipment repair service" for the Sheriff's Department.

MOTION CARRIED.
(See Exhibit S)

14/L

A motion was made by Commissioner Handy and seconded by Commissioner Garces to award the sole bid to for the purchase of tires for the Sheriff's Department. The sole bidder was Goodyear Store, out of Pharr, Texas.

MOTION CARRIED.
(See Exhibit S)

14/M/1

The Sheriff's Department was requesting an exemption from competitive bidding requirements for nursing services. Lt. Roy Quintanilha came before the Court and explained the reason for the request. A discussion ensued with comments from Steve Crain with regards to the employment process. He did indicate that the exemption was being done due to the emergency status. The County Judge went on record and stated that they would do everything legal to make certain the Sheriff goes through the proper process. Mr. Crain explained that he would be coming back to Court at a later date for approval of the temporary contracts. After a brief discussion, a motion was made by Commissioner Garces and seconded by Commissioner Handy to exempt from competitive bidding the requirement for nursing services, as presented.

MOTION CARRIED.
(See Exhibit S)

14/M/2

Mr. Zapata announced that no action would be required on this item.

NO ACTION.
(See Exhibit S)

14/M/3

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the advertisement for "A/C service and repairs" for the Sheriff's Department.

MOTION CARRIED.
(See Exhibit S)

14/M/4

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the advertising for "electrical service and repairs" for the Sheriff's Department.

MOTION CARRIED.
(See Exhibit S)

14/N/1

A motion was made by Commissioner Garces and seconded by Commissioner Handy to authorize the advertising for "Catalogue",

miscellaneous office supplies, administrative office furniture and office equipment for the WIC Program.

MOTION CARRIED.
(See Exhibit S)

14/N/2

A motion was made by Commissioner Handy and seconded by Commissioner Garces to authorize the advertising for bids for medical supplies for the WIC Program.

MOTION CARRIED.
(See Exhibit S)

ADD. 1. PCT. #3:

- A. Authorization to approve Agreed Order with Texas Natural Resource Conservation and issue penalty payment check in the amount of \$1,200.00 payable to same (Penitas Landfill)

Commissioner Rosel reported that this was an administrative penalty that the County had to pay to TNRCC and it stemmed from a penalty that was originally in the amount of \$47,000.00. He added that after a meeting with TNRCC they had agreed on the penalty amount of \$1,200.00 provided that they clean up the Precinct. A motion was made by Commissioner Rosel and seconded by the County Judge to approve the agreed order and pay the penalty of \$1,200.00 as presented.

MOTION CARRIED.
(See Exhibit T)

ADD. 2. LINE ITEM TRANSFER (PCT. #3 - LANDFILL)

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a line item transfer in the amount of \$1,200.00 for the Precinct Three Landfill account.

MOTION CARRIED.
(See Exhibit U)

Commissioner Rosel indicated that he had a situation where he needed some direction from legal counsel. His concern had to do with the upcoming Primary Election in March of 1998 where a particular office holder had told him as well as other people that he was going to run for another office. A discussion ensued with comments from Commissioner Garces, Commissioner Rosel and Steve Crain.

There being no further business to come before Commissioners' Court, a motion was made by Commissioner Rosel and seconded by Commissioner Handy that said meeting be hereby adjourned.

MOTION CARRIED.

DRAINAGE DISTRICT #1

The Honorable Renato Cuellar, County Judge, called the Drainage District #1 Board meeting to order, whereupon the following proceedings were had, to-wit:

ITEM 1. APPROVAL OF SALARY ADJUSTMENTS ON EXISTING SLOTS

Godfrey Garza, Drainage District Manager, came before the Board requesting approval of salary adjustments on existing slots. He added that they were adjusting salaries within vacant slots in order to get the salaries back in line. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit V)

ITEM 2. APPROVAL TO CREATE THREE (3) NEW SLOTS AND SET SALARIES: 2 SHREDDER OPERATORS AT \$15,750.00 ANNUALLY AND 1 SHOP INVENTORY CLERK AT \$16,250.00 ANNUALLY, EFFECTIVE DATE July 28, 1997

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the creation of two shredder operators at

\$15,750.00 annually each and one shop inventory clerk at \$16,250.00 annually. The positions to be effective July 28th, 1997.

MOTION CARRIED.
(See Exhibit W)

ITEM 3. APPROVAL OF BUDGET AMENDMENT IN THE AMOUNT OF \$27,528.45

Mr. Garza explained that they were requesting a budget amendment in the amount of \$27,528.45 in order to cover the costs of the three additional slots that were approved above. A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve a budget amendment in the amount of \$27,528.45.

MOTION CARRIED.
(See Exhibit X)

ITEM 4. PURCHASING DEPARTMENT

- A. Approval of bid award One (1) 1998 Extended Wheel Drive Pick-up Truck (sole bidder)
- B. Approval to award bid for tractors with boom mowers
- C. Approval to declare surplus one (1) 1987 GMC Suburban with asset #019059

4/A

Aurelio Zapata, from the Purchasing Department, came before the Drainage District Board requesting approval of a bid award for one 1998 extended wheel drive pick-up truck to the sole bidder being Bert Ogden. A discussion ensued with regards to going out for bids when there was a contract in place with the Houston-Galveston Area Council, with comments from Commissioner Arcaute, Commissioner Garces, Commissioner Rosel and Mr. Zapata. A motion was then made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit Y)

4/B

Mr. Zapata announced that at the request of the Drainage District Manager the recommendation was that they not award to the low bidder due to a survey that was conducted by the Drainage District. He mentioned that the tractors being offered by the low bidder, being Amigo Implement Co., were not strong enough to meet the requirements of the Drainage District. The District was requesting that they award to Anderson Equipment who was the next low bidder. A discussion ensued with regards to the request with comments from Commissioner Rosel, Steve Crain, the County Judge and J.P. English, from Amigo Implement Co. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to take this matter under advisement.

MOTION CARRIED.
(See Exhibit Y)

4/C

A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel to declare one 1987 GMC Suburban, asset #019059 as surplus.

MOTION CARRIED.
(See Exhibit Y)

There being no further business to come before the Drainage District No. One Board, a motion was made by Commissioner Garces and seconded by Commissioner Arcaute that said meeting be hereby adjourned.

MOTION CARRIED.