

## **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**

#### **ITEM 2. COURT REPORTERS FEES:**

- A. Shirley Ralston - State of Texas vs. Gustavo Izaguirre - \$3,187.00
- B. Shirley Ralston - State of Texas vs. Amado Baranco, Jr. - \$2,235.00

(See Exhibit A)

#### **ITEM 3. MONTHLY REPORTS:**

- A. Justice of the Peace: May - 1997
  - 1. Jesus Morales \$ 7,956.50
  - 2. Espiridion Jackson \$10,802.20
  - 3. Rene O. Torres \$12,046.00
  - 4. Charlie Espinoza \$18,235.00
  - 5. Rosa E. Treviño \$21,256.03
- B. Justice of the Peace: April - 1997
  - 1. Arnaldo Corpus \$ 4,316.99

(See Exhibit B)

#### **ITEM 4. RIGHT OF WAY**

- A. Permits: Precinct #1
  - 1. North Alamo Water Supply
- B. Permits: Precinct #3
  - 1. Shell Western ENP
  - 2. Southwestern Bell Telephone

(See Exhibit C)

#### **ITEM 5. INTERNAL LINE ITEM TRANSFERS:**

- A. J.P. Pct. 2, Pl. 2 - \$600.00
- B. District Clerk - \$2,000.00
- C. Juvenile Probation Department - \$2,481.00
- D. Treasury - \$74.00
- E. Precinct #2 - \$300.00

- F. Adult Probation Department - Restitution Center - \$1,200.00
- G. Adult Probation Department - Education & Employment - \$900.00
- H. Adult Probation Department - General Fund (telephone) - \$1,500.00
- I. Health Department - Health Clinics - \$2,000.00
- J. Precinct #3 - Administration - \$850.00
- K. Precinct #3 - Paved and Unpaved - \$7,500.00
- L. Precinct #3 - Landfill - \$500.00
- M. Health Department - Administration - \$200.00
- N. Precinct #4 - Paved & Unpaved - \$3,000.00
- O. Precinct #4 - Landfill - \$1,500.00

(See Exhibit D)

The County Judge introduced the Consent Agenda and asked if there were any changes. There being none a motion was made by Commissioner Arcaute and seconded by Commissioners Garces and Handy to approve.

MOTION CARRIED.

## REGULAR AGENDA

### ITEM 1. TAX OFFICE

#### A. Tax Refund

1. Robert W. Williams	\$ 847.79
2. Gilberto Reyna	\$ 571.71
3. Cirildo Reyes Garcia	\$ 800.31
4. Jose Luis Guerra	\$ 531.90
5. Arnulfo Peña	\$ 597.59
6. Century Production, Inc.	\$7,547.64
7. Betty Gaston	\$1,487.79
8. Union Pacific	\$1,528.93

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the tax refunds as presented.

MOTION CARRIED.

(See Exhibit E)

### ITEM 2. DEPARTMENT OF HUMAN SERVICES

- A. Request for a loan from General Fund to pay for Indigent Health Care expenditures that will be reimbursed by the State of Texas in the amount of \$1,600,000.00 (this will be partially repaid)

Rudy De La Viña, Human Services Director, came before the Court requesting a line of credit in the amount of \$1,600,000 from the General Fund in order to be able to access State funds. He then gave a brief report on the expenditures that have been done for indigent health care. After a brief discussion with regards to personnel and technical support within the department, as well as possible reimbursements from the State, a motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit F)

### **ITEM 3. HEALTH DEPARTMENT**

- A. Authorization to institute a new program to provide low-cost septic system design service for low income persons building a home in an un-incorporated area of the County
- B. Approval of application and certificate of payment #1 in the amount of \$13,284.00 for renovations of existing Pulmonary Clinic to G.A.S. Enterprises

3/A

Dr. James Michael Keenan, County Health Director, came before the Court requesting authorization to institute a new program in order to provide low-cost septic system design service for low income persons who were building a home in the un-incorporated areas of the County. He added that he currently had a certified sanitarian and another who was in the process of acquiring his certification and he felt that this service was greatly needed. Commissioner Rosel recommended that a workshop be set up in order to meet with engineers, developers etc. in order to acquire some input in this proposal. After a brief discussion it was recommended that no action be taken on this item at this time

NO ACTION.  
(See Exhibit G)

3/B

Dr. Keenan stated that he was requesting approval of payment #1 to G.A.S. Enterprises for renovations of the existing pulmonary clinic. The amount of the payment is \$13,284.00. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.  
(See Exhibit G)

**ITEM 4. ADULT PROBATION**

- A. Request to declare surplus a 1994 GM 15 passenger van ID #1GjGG39K5RF518057 (trade-in)
- B. Request approval of FY 1996 (9/1/95) thru 8/31/96) 4<sup>th</sup> Quarterly Report and Statement of Financial Position

A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to authorize the declaration of a 1994 GM 15 passenger van with ID #1GjGG39K5RF518057 as surplus for trade-in.

MOTION CARRIED.  
(See Exhibit H)

4/B

Joe Lopez, Adult Probation Director, came before the Court requesting approval of FY 1996 4<sup>th</sup> Quarterly Report and Statement of Financial Position. He added that this was as per their new financial manual. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit H)

**ITEM 5. JUSTICE OF THE PEACE - Pct. #5 PI. 1**

- A. Approval of Budget Amendment in the amount of \$2,200.00 for misc. office supplies

Esperidion "Speedy" Jackson, Justice of the Peace Pct. 5, came before the Court requesting approval of a budget amendment for miscellaneous office supplies. The amount requested is \$2,200.00. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit I)

**ITEM 6. COUNTY JUDGES OFFICE**

- A. Approval of Headstart Program Directors Job Description
- B. Approval to Advertise for Headstart Program Project Director

Lisa Saucedo informed the Court that she had just handed the County Judge and Commissioners a working copy of what they had as far as the job description for the Program Director for the Headstart Program. Her request at

this time was to possibly call for a workshop in order to discuss this issue more extensively. After a lengthy discussion, it was recommended that no action be taken on this item at this time.

NO ACTION.  
(See Exhibit J)

**ITEM 7. PRECINCT #1**

- A. Authorize exemption from competitive bidding and approve contract with Quintanilla, Headley and Associates for Engineering Services
- B. Authorization to transfer \$400,000.00 from County Wide unappropriated fund balance to Pct. #1 Road and Bridge and appropriate same

7/B

Raul Lozano, Administrative Assistant for Precinct One, came before the Court requesting authorization to transfer \$400,000 from the County Wide unappropriated fund balance to Precinct One's Road and Bridge fund and to appropriate same. These funds were being moved in order to do some repairs due to the March rains and the ensuing damage to several colonias and roads in Precinct One. Mr. Lozano added that their main priorities at this time were the roads that were used by school buses. After a brief discussion with regards to other projects that may have to be paid out of the County Wide unappropriated, Commissioner Handy informed the Court that it was her "duty as a responsible representative to come here today to ask [this Commissioners' Court] for help". She mentioned that they had provided the Court with back as to cost and figures expended as a result of the aftermath of the flood disaster that was experience by Precinct One a few months ago. She understood that this disaster was not budgeted for and there were eight cities within Precinct One who had helped with equipment when theirs was not working. She pointed out that there were many roads that need maintenance and being that school would be back in session next month she made a motion for the authorization to transfer \$400,000.00 from the County Wide unappropriated fund balance to Precinct One Road and Bridge and appropriation of same. She was then asked to withdraw her motion until it was discussed further and she concurred. Commissioner Arcaute recommended as an alternative for the other three precincts to loan their equipment to Precinct One for one week in order to assist in the rebuilding of those roads. During a lengthy discussion it was agreed that the other precinct foremen would meet with the Precinct One Commissioner to discuss what equipment and material she would be needing and what road repairs needed to be prioritized. As a result and after further discussion no action was needed at this time.

NO ACTION.  
(See Exhibit K)

7/A

Mr. Lozano was then requesting an exemption from competitive bidding, under professional services, and to approve a contract with the firm of Quintanilla, Headley and Associates for engineering services for Mile 6 West. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit K)

**ITEM 8. PRECINCT #2**

- A. Approval of Budget Amendment - County Wide Shop in the amount of \$2,100.00

A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to approve a budget amendment in the amount of \$2,100.00 to the County Wide Shop.

MOTION CARRIED.  
(See Exhibit L)

**ITEM 9. PRECINCT #3**

- A. Authorization to exempt Hinojosa Engineering from bidding process and approval to pay bill in the amount of \$5,268.00 for engineering services
- B. Approval of Interlocal Agreement with City of Penitas and Pct. #3 for park projects

9/A

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the exemption of Hinojosa Engineering from the bidding process under professional services and approval to pay a bill in the amount of \$5,268.00 for engineering services.

MOTION CARRIED.  
(See Exhibit M)

9/B

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to approve an interlocal agreement with the City of Penitas and Hidalgo County Precinct Three for a park project in which the County will provide some funds for the demolition of a building, the building of a walkway and the reconstruction of a fence around a baseball park. The contract is not to exceed \$12,200.00.

MOTION CARRIED.  
(See Exhibit M)

**ITEM 10. PRECINCT #4**

- A. Approval of interlocal agreement with Donna Irrigation District, Hidalgo County Drainage District #1 and Hidalgo County Pct. #4

Godfrey Garza, Drainage District #1 Manager, informed the Court that they were requesting approval of an interlocal agreement between the Donna Irrigation District, Hidalgo County Drainage District #1 and Hidalgo County Precinct Four. The agreement was in reference to Anderson Road in which Donna Irrigation District will provide \$2,000.00 in monetary contribution, to the Drainage District and Precinct Four will provide and carry all the gravel required for the sub-bed of the pipe, plus the caliche bed plus the asphalt. The Drainage District will install the concrete pipe and provide all the manpower required for that installation. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the interlocal agreement as presented.

MOTION CARRIED.  
(See Exhibit N)

**ITEM 11. OFFICE OF EMPLOYMENT AND TRAINING**

- A. Discussion and Possible Action to Modify the PIC By-laws
- B. Discussion and Possible Action to approve the Hidalgo/Willacy PIC/CEO Agreement
- C. Discussion and Possible Action to Approve Selection of Title IIA, Title IIC and Title III Service Providers for Program Year 97-98

11/A

Dick Dickinson, OET Director, came before the Court to request possible action to modify the PIC by-laws. He informed the Court that the PIC Board had met and had approved the following modifications having to do with the expenditure policy. The change was that any and all expenditures prior to commitment, obligation or expenditure of funds must have prior approval as well as any expenditures to be utilized by the Private Industry Council be done so by a fifty-one percent (51%) margin vote as by the PIC at a properly quorumed meeting and placed on the agenda in the correct way. These changes were being done in order to meet the Federal regulations. After a brief discussion, a motion was made by Commissioner Arcaute and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.

(See Exhibit O)

11/B

A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel to approve the Hidalgo/Willacy PIC/CEO Agreement in its entirety for the next program year beginning September 19, 1997.

MOTION CARRIED.  
(See Exhibit O)

11/C

Mr. Dickinson explained that he was requesting approval of selection of Title IIA, Title IIC and Title III service providers for program year 1997-1998. He explained that they had reached a tier II performance rating in Titles IIA and IIC and they had met all the Title III performance ratings in the programs for the previous year. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel to approve the service providers with the amounts requested, subject to contract negotiations, as presented.

MOTION CARRIED.  
(See Exhibit O)

## **ITEM 12. URBAN COUNTY**

- A. City of Edcouch - Approval of a Construction Contract with Mission Paving Co., Inc. PFI - Street Improvements, FY 1996
- B. City of Mercedes - Approval of Subrecipient Agreement with Amigos Del Valle, Inc. Year 9, (1996)
- C. City of San Juan - Approval of Subrecipient Agreement with Amigos Del Valle, Inc. Year 9 (1996)
- D. City of Weslaco - Approval of Subrecipient Agreement with Amigos Del Valle, Inc. Year 9 (1996)
- E. Precinct #1 - Approval of a Subrecipient Agreement with Donna Boys and Girls Club - Year 9 (1996)
- F. Precinct #1 - Approval of a Subrecipient Agreement with Weslaco Boys and Girls Club - Year 9 (1996)
- G. Precinct #1 - Approval of Subrecipient Agreement with Amigos Del Valle, Inc. Year 9 (1996)
- H. Public Service - Youth Contract Award for the 1996 CDBG City of San Juan Youth Program, Subrecipient Agreement with the City of San Juan
- I. Public Service - Youth Contract Award for the 1996 CDBG City of San Juan Youth Program
- J. HOME - "First-Time Homebuyer Contract Agreement" and Letter of Commitment to Mortgage Company (3 families)
- K. HOME/Homeowner Occupied Housing Rehab Application (6 Families)

- L. County-wide, Precinct No. 1, 2, 3 and 4 - Approval of a Subrecipient Agreement FY 1995 and 1996 with CASA of Hidalgo County, Inc.

12/A

The City of Edcouch was requesting approval of a construction contract with Mission Paving Company, Inc. for street improvements under Year 1996. The amount of the contract is \$215,790.00. A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to approve the request as presented.

MOTION CARRIED.  
(See Exhibit P)

12/B

The City of Mercedes was requesting approval of a subrecipient agreement with Amigos Del Valle under Year 9. The amount of the contract is \$10,000.00. A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to approve the request as presented.

MOTION CARRIED.  
(See Exhibit P)

12/C

The City of San Juan was requesting approval of a subrecipient agreement with Amigos Del Valle under Year 9. The amount of the contract is \$10,000.00. A motion was made by Commissioner Arcaute and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.  
(See Exhibit P)

12/D

The City of Weslaco was requesting approval of a subrecipient agreement with Amigos Del Valle under Year 9. The amount of the contract is \$10,000.00. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit P)

12/E

Precinct One was requesting approval of a subrecipient agreement with the Donna Boys and Girls Club under Year 9. The amount of the contract is \$2,000.00. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit P)

12/F

Precinct One was requesting approval of a subrecipient agreement with the Weslaco Boys and Girls Club under Year 9. The amount of the contract is \$6,000.00. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit P)

12/G

Precinct One was requesting approval of a subrecipient agreement with Amigos Del Valle, Inc. under Year 9. The amount of the contract is \$2,500.00. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit P)

12/H

The City of San Juan was requesting approval of a subrecipient agreement with the City of San Juan Youth Program. The agreement was in the amount of \$5,000.00. A motion was made by Commissioner Arcaute and seconded by Commissioner Handy to approve.

MOTION CARRIED.  
(See Exhibit P)

12/I

NO ACTION.  
(See Exhibit P)

12/J

A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve the HOME "First-Time Homebuyer contract agreements" and letters of commitment for the three families as listed on the exhibit.

MOTION CARRIED.  
(See Exhibit P)

12/K

A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve the HOME/Homeowner Occupied Housing Rehab Applications for the six families as listed on the exhibit.

MOTION CARRIED.  
(See Exhibit P)

12/L

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve a subrecipient agreement between Precincts One, Two, Three, Four and County Wide under FY 1995 and 1996 with CASA of Hidalgo County, Inc. The amount of the agreement is \$22,000.00.

MOTION CARRIED.  
(See Exhibit P)

### **ITEM 13. PLANNING DEPARTMENT**

#### A. Subdivisions:

1. Capisallo Terrace Unit #3 - Pct. #1
2. Re-subdivision of Alonzo Subdivision - Pct. #4

#### B. Release of Letter of Credit:

1. R.M.R. Subdivision - Pct. #1

13/A/1

Emilio Garcia, Chief Planner, came before the Court requesting approval of Capisallo Terrace Unit #3. He added that it was in Precinct One located on the corner of Mile 2 ½ East Road and U.S. Expressway 83. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the subdivision as presented.

MOTION CARRIED.  
(See Exhibit Q)

13/A/2

A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the plat of the Re-subdivision of Alonzo Subdivision which is located in Precinct Four approximately 2302 feet south of Davis Lane and on the west side of Alamo Road.

MOTION CARRIED.  
(See Exhibit Q)

13/B

A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to approve the release of the letter of credit for R.M.R. Subdivision in Precinct One.

MOTION CARRIED.  
(See Exhibit Q)

**ADD. 1. PLANNING DEPARTMENT**

- A. Partial release on letter of credit
  - 1. Pueblo Del Sol Subdivision - Pct. #1

A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to authorize a partial release of a letter of credit on Pueblo Del Sol Subdivision. The amount of the partial release is \$125,095.00.

MOTION CARRIED.  
(See Exhibit Q)

**ITEM 14. PURCHASING DEPARTMENT**

- A. BUILDINGS & GROUNDS
  - 1. Approval of Recommendation to reject all bids due to high cost and low vendor participation
  - 2. Approval to readvertise for replacement of six (6) 25 ton air condition compressors
- B. Approval to declare surplus three (3) radar detectors - DPS
- C. Approval of contract for temporary hauling of road materials to M.C. Trucking Services - Pct. #1
- D. Approval of contract for security services for In the Shadows Security Services - Pct. #1 and 3
- E. Precinct #3
  - 1. Discussion and possible action as to request by low bidder to withdraw bid submitted on paving of overlay street improvements
  - 2. Discussion and possible action to award project to the next lowest bidder as recommended by engineer
  - 3. Approval of proposed contract with Mission Paving fore paving of overlay - street improvements (contingent on bid award of \$64,680.00)
  - 4. Approval to award bid for hauling services - Road and Bridge Projects
  - 5. Approval of bid award for one new 4-wheel rubber tired loader to sole bidder
  - 6. Approval to surplus various items for salvage and disposition

- F. Approval to award bid for hauling services for Road and Bridge and Urban County projects - Pct. #4
- G. Approval to declare numerous items surplus and recommend approval to authorize the destruction of two (2) of the items - Sheriff's Department
- H. Approval to award bid for diesel fuel - Hidalgo County
- I. Approval to Advertise for "Installation and removal of equipment from vehicles"

14/A/1

Martha Salazar, the Purchasing Director, came before the Court requesting approval to reject all bids on the replacement of six 25-ton air conditioner compressors. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED. (Commissioner Arcaute voted against the motion)  
(See Exhibit R)

14/A/2

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the re-advertising for replacement of six 25-ton air condition compressors.

MOTION CARRIED.  
(See Exhibit R)

14/B

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the declaration of three radar detectors from the DPS as surplus.

MOTION CARRIED.  
(See Exhibit R)

14/C

A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve a contract with M.C. Trucking Services for temporary hauling of road materials for Precinct One. The amount of the contract is not to exceed \$6,000.00.

MOTION CARRIED.  
(See Exhibit R)

14/D

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve a contract for security services with Shadow Security Services for Precincts One and Three.

MOTION CARRIED.  
(See Exhibit R)

14/E/1

Mrs. Salazar explained that they held a bid opening on June 25<sup>th</sup> for the paving of overlay street improvements. She explained that this was for a request by Sascon Inc., the low bidder, that they be allowed to withdraw their bid. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit R)

14/E/2

Mrs. Salazar explained that the engineer was recommending that this project be awarded to the next lowest bidder, Mission Paving Company at \$64,680.00. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit R)

14/E/3

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a contract with Mission Paving Company, Inc. in the amount of \$64,680.00 for Precinct Three.

MOTION CARRIED.  
(See Exhibit R)

14/E/4

Mrs. Salazar explained that no action would be needed at this time.

NO ACTION.  
(See Exhibit R)

14/E/5

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a bid award for one new 4-wheel rubber tired loader for Precinct Three to sole bidder being Anderson Equipment at \$89,850.00.

MOTION CARRIED.  
(See Exhibit R)

14/E/6

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the declaration of various items as surplus for salvage and disposition.

MOTION CARRIED.  
(See Exhibit R)

14/F

Mrs. Salazar informed the Court that she was requesting the awarding of bid for hauling services for Precinct Four Road and Bridge and Urban County projects. She mentioned that a bid opening was held and four bids were received: Rendon at \$2.35 a ton; Roy's Hauling at \$2.30 a ton, except for two items at \$2.45 a ton; Moises Castillo at \$2.40 a ton for all projects and Maldonado at \$2.50 with several items at \$2.75 a ton. Mrs. Salazar was recommending the low bidder for Road and Bridge who was Roy's Hauling as the overall low bidder. After a brief discussion with regards to how the Purchasing Agent calculated the low bid, a motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.  
(See Exhibit R)

Mrs. Salazar then indicated that for Urban County she had also received the same four bids and she handed a memo to the Court with regards to the low bidder and problems that Precinct One has had with them and as a result she was not recommending him. She mentioned that on a previous contract Mr. Rendon had brought all work to a standstill due to a concern with the contract and as a result the award was rescinded. The County Judge then acknowledged that Martin Rendon, the bidder in question, was in the audience. After some brief discussion, Mrs. Salazar indicated that she was recommending the next low bidder being Roy's Hauling at \$2.38 a ton. She did point out that Mr. Rendon had bid \$2.35 a ton. A motion was made by Commissioner Garces to approve the next low bidder as presented. Commissioner Rosel then reported that the problem with the previous contract was with regards to the language and Mrs. Salazar stated that Mr. Rendon refused to go to a certain plant to pick-up. Commissioner Rosel then asked legal counsel if this Commissioners' Court could award based on previous experience and David Girault indicated that they could as long as they allowed the low bidder to address the concerns. The County Judge then gave Martin Rendon the floor who basically addressed the previous contract in question. A discussion then commenced with regards to the

recommendation by the Purchasing Director and her reasons for not going with the low bid with comments from Commissioner Rosel and the County Judge. During this discussion it was brought to light that the previous contract in question indicated that it was for hauling within Hidalgo County and he was instructed to bring material from Cameron County and as a result of this Commissioners Handy and Arcaute did not feel that this vendor should be skipped over on the present bid award. After further discussion Commissioner Rosel asked for the recommendation to the Court and Mrs. Salazar stated that it was "to award to the next lowest bidder at \$2.38, which is Roy's Hauling for the Urban County Projects". Commissioner Garces then restated his motion which was "based on the recommendation of Purchasing and using the information that [was] brought forth on this issue," he was going to go ahead and go with the recommendation and go with the second low bidder at the price of \$2.38, Roy's Hauling for the hauling services for Urban County projects. Upon a second by Commissioner Rosel the motion failed.

MOTION FAILED. (Commissioners Arcaute, Handy and the County Judge voted against the motion).

After further clarification by legal counsel, a motion was then made by Commissioner Rosel and seconded by Commissioner Handy to award to the low bidder, Martin Rendon at \$2.35 a ton for hauling services for Urban County projects.

MOTION CARRIED. (Commissioner Garces voted against the motion)  
(See Exhibit R)

14/G

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the declaration of numerous items as surplus and the approval to authorize the destruction of two of the items from the Sheriff's Department.

MOTION CARRIED.  
(See Exhibit R)

14/H

Mrs. Salazar reported that this was for a bid award for diesel fuel for Hidalgo County. This was on a bid opening held on July 2<sup>nd</sup> and two bids were received. There was one qualifying bidder, Discount Oils and Lubricants and the other bidder did not meet the specifications. She was recommending that the bid be awarded to the qualifying bidder Discount Oils and Lubricants. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit R)

14/I

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the advertising for "Installation and removal of equipment from vehicles" for the Sheriff's Department.

MOTION CARRIED.  
(See Exhibit R)

There being no further business to come before the Court, a motion was made by Commissioner Handy and seconded by Commissioner Garces that said meeting of Commissioners' Court 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:

### **CONSENT AGENDA**

#### **ITEM 1. PERMITS:**

- A. City of Pharr
- B. City of Weslaco
- C. City of Mission
- D. City of Mercedes

The County Judge introduced the Consent and there being no changes a motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve.

MOTION CARRIED.  
(See Exhibit S)

### **REGULAR AGENDA**

**ITEM 1. APPROVAL OF CERTIFICATE OF SUBSTANTIAL COMPLETION - NEW OFFICES**

Godfrey Garza, Drainage District Manager, came before the Board requesting approval of a certificate of substantial completion on the new Drainage District #1 offices. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.  
(See Exhibit T)

**ITEM 2. AUTHORIZATION FOR AUDITOR TO PAY CONTRACTORS ESTIMATE #3 - \$79,601.24**

Mr. Garza was also requesting authorization for the County Auditor to pay the contractors estimate #3 in the amount of \$79,601.24. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

**ITEM 3. CONSIDERATION AND APPROVAL OF CHANGE ORDER #1 - NEW OFFICES - SOLIS AND CHAPA CONSTRUCTION CO. - EXTENSION OF COMPLETION TIME BY 21 DAYS**

Mr. Garza indicated that he was asking for consideration and approval of change order #1 for the new Drainage District #1 office. The change order was on a contract with Solis and Chapa Construction Company and it was for an extension of twenty-one (21) days. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.

**ITEM 4. AUTHORIZATION FOR TURNER, COLLIE & BRADEN TO APPLY FOR GRANT FROM TEXAS WATER DEVELOPMENT BOARD FOR PHASE 2 OF EXPANSION OF MASTER DRAINAGE PLAN**

Mr. Garza reported that he was requesting authorization for Turner, Collie & Braden to apply for a grant from the Texas Water Development Board for Phase II of the expansion of the Master Drainage Plan. He then went on to give a brief overview of Phase II of this project which will entail the preparation of the manual, the watershed the basins, as being established and what they will be

identifying with the help of the engineering community and the other cities. A motion was then made by Commissioner Arcaute and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.  
(See Exhibit U)

**ITEM 5. APPROVAL OF INTERLOCAL AGREEMENT BETWEEN DONNA IRRIGATION DISTRICT AND HIDALGO COUNTY DRAINAGE DISTRICT #1**

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve an interlocal agreement between Donna Irrigation District and Hidalgo County Drainage District #1.

MOTION CARRIED.  
(See Exhibit N)

**ITEM 6. PURCHASING DEPARTMENT**

- A. Approval to award bid for proposed Drainage Improvements - Drain 18B
- B. Approval to award bid of 1 new 1997 crawler tractor with dozer with an additional 5 year full machine warranty to sole bidder
- C. Approval to award bid of highway diesel fuel products to Discount Oils, Lubricants and Fuels, Inc.

6/A

A motion was made by Commissioner Handy and seconded by Commissioner Garces to award bid for proposed Drainage Improvements to Drain 18B to Rio Grande Environmental for the alternate at \$161,319.00.

MOTION CARRIED.  
(See Exhibit V)

6/B

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to award bid for one new 1997 crawler tractor with dozer with an additional 5 year full machine warranty to sole bidder being HOLT Company with a bid of \$131,752.00.

MOTION CARRIED.  
(See Exhibit V)

6/C

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to award bid for highway diesel fuel products to Discount Oils, Lubricants and Fuels, Inc.

MOTION CARRIED.  
(See Exhibit V)

There being no further business to come before the Drainage District #1 Board, a motion was made by Commissioner Arcaute and seconded by Commissioner Handy that said meeting be hereby adjourned.

MOTION CARRIED.