

## **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 - HIDALGO**

##### **COUNTY AUDITOR**

#### **ITEM 2. INTERNAL LINE ITEM TRANSFERS:**

- A. Veterans Service Officer - \$500.00
- B. Elections Department - \$1,539.71
- C. Sheriff's Department - \$15,000.00
- D. Detention Center - Jail - \$100,000.00
- E. Constable Pct. #2 - \$1,300.00
- F. Master Court #2 - \$4,000.00
- G. 92<sup>nd</sup> District Court - \$2,200.00
- H. 206<sup>th</sup> District Court - \$700.00
- I. 275<sup>th</sup> District Court - 2,500.00
- J. Human Services - \$4,000.00
- K. Commissioner Pct. #2 - Road Administration - \$400.00
- L. Commissioner Pct. #2 - Paved & Unpaved Roads - \$15,000.00
- M. Commissioner Pct. #3 - Paved & Unpaved Roads - \$8,000.00
- N. Commissioner Pct. #4 - Road & Bridge - \$1,500.00
- O. Health Department - Health Clinics - \$2,500.00
- P. Health Department - Sanitation - \$350.00
- Q. Purchasing Department - \$2,600.00 & \$400.00
- R. Adult Probation - Restitution Center (State Funds) - \$1,300.00
- S. Adult Probation - Community Corrections (State Funds) - \$8,850.00

(See Exhibit A)

#### **ITEM 3. RIGHT-OF-WAY DEPARTMENT**

- A. Pct. #2 - North Alamo Water Supply
  - 1. 2" water lines to cross County Road north of Eldora Between FM 1426 and "I" Road and to cross Cesar Chavez, 600' of Sioux Road
- B. Pct. #3 - Southwestern Bell Telephone
  - 1. To lay a cable along Rio Drive north from Mile 4 for 337'
- C. Pct. #4 - Valley Telephone Cooperative
  - 1. To go along Gill Street for 234' east from 5<sup>th</sup> Street
- D. City of Edinburg

1. 10" water line to go along the west side of "I" Road for 275' beginning 400' north of Owassa Road

E. Shell Western E & P Inc.

1. 4" PVC water line to cross Val Verde at Mile 20 ½

(See Exhibit B)

#### **ITEM 4. APPROVAL OF MONTHLY FEE REPORT**

A. County Clerk's Office - \$258,715.14

(See Exhibit C)

#### **ITEM 5. URBAN COUNTY PROGRAM**

A. Home/Homeowner Occupied Housing Rehab Application (3 Families)

B. Extension on "Letter of Commitment" to Mortgage Company on HOME "First-Time Homebuyer Contract Agreement" (3 Families)

(See Exhibit D)

#### **ITEM 6. PLANNING DEPARTMENT**

A. Subdivisions:

1. Golden Queen Mobile Home Park - Pct. #1
2. Panther Subdivision - Pct. #1
3. Paradise Heights Subdivision - Pct. #1
4. Rio Valley Estates Mobile Home Park - Pct. #1
5. Carlos Diaz Subdivision - Pct. #2
6. Jackson Commerce Development Phase III SD - Pct. #2
7. Lone Star Bank Subdivision Phase II - Pct #3
8. Pama Subdivision - Pct. #3
9. Sharywood Manor Subdivision - Pct. #3
10. E.E.D.C. No. 1 Subdivision - Pct. #4
11. Island Palms Apartments Subdivision - Pct. #4
12. Las Violetas Phase II Subdivision - Pct. #4

(See Exhibit E)

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

MOTION CARRIED.

### **REGULAR AGENDA**

#### **ITEM 1. COUNTY EXTENSION SERVICE & TEXAS AGRICULTURAL EXTENSION SERVICE**

A. Introduction of County Extension Agent (Asst.) Agriculture/4-H, Roel Garza

Ida Dromgoole, County Extension Agent, came before the Court to introduce a new Assistant County Extension Agent for Agriculture/4-H. She passed the podium over to Brad Cowen who in turn introduced Mr. Roel Garza who would be employed in the aforementioned position. After a few comments from Mr. Cowen and Mr. Garza, no action was required on this item.

NO ACTION.  
(See Exhibit F)

## **ITEM 2. WIC PROGRAM**

- A. Approval of Cooperation Agreement between WIC and Hidalgo County Health Care Corporation

Norma Longoria, WIC Program Director, came before the Court requesting approval of a cooperation agreement between the County WIC Program and the Hidalgo County Health Care Corporation. Under this agreement the WIC Program would provide service at the Health Care Corporation site. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to approve the request as presented.

MOTION CARRIED.  
(See Exhibit G)

## **ITEM 3. HUMAN SERVICES**

- A. Approval of Contract Agreement between U.T.M.B. Galveston and Hidalgo County

Rudy De La Viña, Human Services Director, came before the Court requesting approval of a contract agreement between U.T.M.B. Galveston and the County of Hidalgo. The agreement was an ongoing contract and it was to provide services for the areas poor residents. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to approve the request as presented.

MOTION CARRIED.  
(See Exhibit H)

## **ITEM 4. COUNTY JUDGE**

- A. Approval of budget amendment & authorization to pay bill in the amount of \$26,626.10 for the 1<sup>st</sup> quarter unemployment deficit billing

- B. Approval to reclassify vacant position #7 from Risk Manager to Administrative Assistant
- C. Adjust and Set Salary
- D. Recognition for volunteer Services to the County of Hidalgo by Ida Lopez

4/A

Paul Vazaldua, Administrative Assistant to the County Judge, informed the Court that they were requesting a budget amendment in the amount of \$26,626.10 for the 1<sup>st</sup> quarter unemployment deficit billing that was discussed the previous week. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the amendment and authorize the payment of bill.

MOTION CARRIED.

(See Exhibit I)

4/B

Mr. Vazaldua reported that the County Judge was requesting to reclassify the Risk Manager position into an Administrative Assistant position. He stated that the County Judge's Office currently was operating with three current Administrative Assistants. Commissioner Garces indicated that there was currently a position vacant in the County Judge's Office for a so-called "expert on jail standards" and Mr. Vazaldua concurred. The County Judge stated that he was needing some help in dealing with the cities and other things and this person would be working with him. A discussion ensued with regards to the current vacant Administrative Assistant slot and the possibility that this slot could be utilized to fit the needs of the County Judge at the present time. It also included the issue of whether the County needed a Risk Manager. After further discussion a motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.

(See Exhibit I)

4/C

Mr. Vazaldua stated that this next request was to adjust the salary of slot #7, which currently has a salary of \$39,322.50 with an auto allowance of \$4,200.00. The adjustment is to increase the salary to \$60,000.00 with a \$4,200.00 auto allowance. He stated that the funds were available in the #03 category and no budget amendment is needed. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.

(See Exhibit I)

4/D

Mr. Vazaldua stated that this next item required no action and he went onto stated that this summer Ms. Ida Lopez had the opportunity to work under the JTPA Program in the County Purchasing Department. He stated that during this time Ms. Lopez had gone beyond the call of duty, worked additional hours without pay and continued to work in the department until her school year began. Mr. Vazaldua then proceeded to introduce her to the Commissioners' Court and she made a few comments.

NO ACTION.  
(See Exhibit I)

**ITEM 5. COMMISSIONER PCT. #1**

- A. Approval of budget amendment in the amount of \$35,000.00 from Park Fund balance and appropriate same

Commissioner Handy stated that she was requesting a budget amendment in the amount of \$35,000.00 from last year's Park Fund balance and to appropriate same. She mentioned these funds would be utilized to renovate a tool shed and add some office space for the park manager at Delta Lake Park. A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.  
(See Exhibit J)

**ITEM 6. COMMISSIONER PCT. #3**

- A. Approval of budget amendment in the amount of \$26,666.68 from the General Fund - EMS Ambulance Service

Commissioner Rosel stated that he was requesting a budget amendment in the amount of \$26,666.69 from the General Fund in order to pay EMS Ambulance Service for services in the Precinct Three rural area. This was to finish off the three year contract with Edinburg EMS and he noted that there was also an addendum where he was requesting an additional \$6,666.67 that was needed in order to carry the service through January 12<sup>th</sup>, 1998. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a budget amendment and to pay the amount of \$26,666.69 plus one additional month, which would carry the contract through January 12<sup>th</sup>. Commissioner Arcaute commented that Commissioner Rosel had indicated last year that he would no longer be paying this service out of General Fund and that he would take care of it out of the Precinct Three budget. He also mentioned that they had urged him, for the last four years, to create a Fire District. Commissioner Rosel responded by saying that he had said that after this contract was

over he would no longer request monies from the General Fund. He also said that he has been talking to the city leaders and they have agreed to undertake this responsibility.

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

#### **ITEM 7. 206<sup>TH</sup> DISTRICT COURT**

- A. Approval of Budget Amendment in the amount of \$520.00

A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve a budget amendment in the amount of \$520.00 for the 206<sup>th</sup> District Court.

MOTION CARRIED.  
(See Exhibit L)

#### **ITEM 8. SHERIFF'S DEPARTMENT**

- A. Approval to appropriate funds in the amount of \$23,826.81 from General Fund for payment of back-wages assessed by the Department of Labor
- B. Authorize payment of back-wages upon presentation of valid claim
- C. Internal Line Item Transfer - Sheriff South Texas Auto Theft Grant  
8/A

Emilia Uriegas came before the Court requesting approval to appropriate \$23,826.81 from the General Fund for payment of back-wages assessed by the U.S. Department of Labor on seventeen individuals that were not part of the lawsuit. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the budget amendment from the General Fund, as presented. Commissioner Rosel then asked about the balance of the payment in the amount of approximately \$3,000.00 and that he thought that a total amount had already been established by the Sheriff's Department. Mr. Crain explained to him that the amount being requested at this time was for individuals that were not part of the lawsuit, but had amounts allocated to them by the Department of Labor for their back-wages. After further discussion with regards to the amount that was originally appropriated to take care of this debt and the present issue of paying the back-wages for these seventeen employees out of the General Fund. Commissioner Garces indicated that his concern at this time was why they only had \$3,000.00 left over from the original amount that was appropriated. It was because of this unanswered matter that he rescinded his motion at this time. Manuel Cavazos, the County Auditor, offered the explanation that the correct amount was not originally appropriated and Commissioner Garces informed him that the reason they had allocated a certain amount of money was because that was the amount that had been agreed upon on the settlement. The Commissioners felt that they needed to

clarify this matter before they could appropriate these monies. Dick Dickinson then stated that originally \$1.5 million had been placed in escrow at First National Bank for the non-plaintiff employees at the Sheriff's Office and these funds were used to pay-off the agreed dollars for the Department of Labor. He continued by saying that the excess was in the bank and he thinks that this excess money was used as part of the settlement for the plaintiffs, because this was known to be converted into certificates of obligation for the entire amount for plaintiffs and non-plaintiffs. This resulted in an additional discussion with the Commissioners also recommending that they make sure that they get a total amount that is now due and Mr. Dickinson informed them that as far as plaintiff were concerned, there was no money now due to any plaintiffs, they might only have to look at any monies owed to non-plaintiffs. After further discussion, a motion was then made by Commissioner Garces and seconded by Commissioner Rosel to *table* this item at this time.

MOTION CARRIED.  
(See Exhibit M)

8/B

No action was required on this item at this time.

NO ACTION.  
(See Exhibit M)

8/C

Ms. Uriegas was requesting a line item transfer in the amount of \$198.99 for the Sheriff's South Texas Auto Theft Grant. They are requesting that this amount be moved from the Worker's Compensation line item to Overtime. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve this request as presented.

MOTION CARRIED.  
(See Exhibit M)

## **ITEM 9. RIGHT-OF-WAY DEPARTMENT**

- A. Authorization to Finance Loader for Pct. #3
- B. Authorization for the County Judge to Execute Loan Papers

Vona Walker, Right of Way Director, informed the Court that no action would be required in these two items at this time.

NO ACTION.  
(See Exhibit N)

**ITEM 10. ADULT PROBATION - COMMUNITY SUPERVISION & CORRECTION**

## A. Approval of Fiscal Year 1998 Budgets

- |                             |                |
|-----------------------------|----------------|
| 1. Supervision              | \$4,378,222.00 |
| 2. Restitution Center       | \$ 785,565.00  |
| 3. Education & Employment   | \$ 184,283.00  |
| 4. Enhanced Sup. Strategies | \$ 27,309.00   |
| 5. Community Corrections    | \$1,126,833.00 |
| 6. TAIP                     | \$ 116,199.00  |

## B. Authorization to pay 23 CSCD employees overtime wages totaling \$79,423.14 as approved by the Hidalgo County Board of Judges on August 8, 1997

## 10/A

Joe Lopez, Adult Probation Director, came before the Court requesting approval of his 1998-99 budgets as indicated on the agenda. He stated that all six budgets have all been approved by the Community Justice Assistance Division and the Board of Judges. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.  
(See Exhibit O)

## 10/B

Mr. Lopez stated that he was also requesting approval to pay twenty-three CSCD employees overtime pay totaling \$79,423.14. These overtime wages were approved by the Board of Judges on August 8, 1997. He reported that there were some claims made by various employees in the department and he had hired Robert Galligan, with the consent of the Board of Judges in order to take care of this issue. Mr. Galligan had reached an agreement with these twenty-three people in the total amount of \$79,423.14 and these were State funds. Commissioner Garces asked Mr. Lopez if he would be changing his policy with regards to overtime work and Mr. Lopez responded that they have a policy in place but it was not being enforced by the supervisors. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.  
(See Exhibit O)

**ITEM 11. JUVENILE PROBATION**

## A. Approval on the 1998 Hidalgo County Purchase of Juvenile Justice Alternatives Grantee acceptance notice

- B. Budget Amendment for Residential Services in the amount of \$7,153.51 to record the Texas Juvenile Probation Department TJPC-13-97 Grant (Title IV-E)

11/A

Israel "Buddy" Silva, Juvenile Probation Director, came before the Court requesting approval of the 1998 Hidalgo County Purchase of Juvenile Justice Alternatives Grantee acceptance notice. The grant is in the amount of \$40,624.00. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit P)

11/B

Mr. Silva was also requesting approval of a budget amendment for Residential Services in the amount of \$7,153.51 to record the Texas Juvenile Probation Department TJPC-13-97 Grant - Title IV-E. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit P)

## **ITEM 12. URBAN COUNTY**

- A. City of Edcouch - Approval of a Construction contract with Delta Caliche for the PFI - Solid Waste Landfill Activity, FY 1996
- B. City of La Joya - Approval of a construction contract (PFI - Parks, Recreational Fac.) with Corner Stone Construction Co., FY 1993
- C. Precinct #2 - Youth Services - Subrecipient Agreement - UCP Year 8, 1995 and Year 9, 1996, City of Alamo Boys and Girls Youth Club
- D. Precinct #4 - Approval of Interlocal Agreement between Pct. #4 and Edinburg Consolidated Independent School District for Sidewalk Improvements
- E. City of Granjeno - HOME Housing Rehabilitation Program - Construction Contract Award
- F. Submittal of a Fair Housing Initiatives Grant Application
- G. Request for exemption from conflict of interest for Mr. Paul Vazaldua d.b.a. Cypress Construction

12/A

Anthony Covacevich, Urban County Director, came before the Court and reported that the City of Edcouch was requesting approval of a construction contract with Delta Caliche for the closure of a landfill, under FY 1996. The amount of the contract is \$74,065.60. 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

The City of La Joya was requesting approval of a construction contract with Corner Stone Construction Company for a parks and recreational facility under FY 1993. The amount of the contract is \$46,760.00. A motion was made by Commissioner Rosel 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 subrecipient agreement with the City of Alamo's Boys and Girls Club. This is under Years 8 and 9 and it is in the amount of \$12,000.25. 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 an interlocal agreement with the Edinburg Consolidated Independent School District for sidewalk improvements. The agreement calls for \$7,600.00 from Precinct Four's Year 8 and the school district will provide forced accounts to complete this project. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.  
(See Exhibit Q)

12/E

The City of Granjeno is requesting approval of their HOME Housing Rehabilitation Program construction contract award. This is for eleven dwelling units and the lowest bidder is being recommended, J.D. Villarreal Construction on Option I in the amount of \$169,000.00. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit Q)

12/F

Mr. Covacevich was requesting the approval for a submittal of a Fair Housing Initiatives Grant Application. He stated that they were requesting submittal of the application in an amount not to exceed \$100,000.00 and the application will provide

for a fair housing clearinghouse to publicize and inform the General Public about Fair Housing Activities. After some discussion, a motion was made by Commissioner Garces and seconded by Commissioners Rosel and Handy to approve the request as presented.

MOTION CARRIED.  
(See Exhibit Q)

12/G

Mr. Covacevich was then requesting an exemption from conflict of interest for Mr. Paul Vazaldua who is doing business as Cypress Construction. He added that this issue had been discussed at the July 29<sup>th</sup> Commissioners' Court meeting and at that time he was told by HUD that all they needed to do was make a public disclosure. He continued by saying that they had received a letter a couple of days later, from attorneys for HUD, indicating that just the mere fact that anyone was an employee of the County, would subject them to a conflict of interest. He also discussed this with Steve Crain, the County legal counsel and they have not been able to understand the interpretation because the mechanics of it does not fit other incidents. The example that he used was if a Sheriff's deputy applied for assistance under the HOME Program, and being that this is a county employee it would also fall under this interpretation as it was a very generalized interpretation. This issue resulted in a discussion with comments from Commissioners Garces and Rosel. During this discussion, Mr. Covacevich indicated that he was requesting the exemption based on this and until HUD can submit a clarification of the interpretation. Commissioner Rosel asked Mr. Vazaldua who his partner in the company was and Mr. Vazaldua replied that it was Mr. Fernando Cantu out of Edinburg. After further discussion a motion was made by Commissioner Rosel and seconded by Commissioner Garces to allow the Hidalgo County Urban County Program to submit a letter of exemption for Paul Vazaldua.

MOTION CARRIED.  
(See Exhibit Q)

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

#### **A. Subdivisions**

1. Bibleville Subdivision - Pct. #2
2. Bonita Estates Subdivision - Pct. #2
3. Morales Subdivision - Pct. #3
4. Joykin Julian Subdivision - Pct. #4

#### **B. Preliminary Approval**

1. Abel No. 3 Subdivision - Pct. #4

#### **C. Final Plat Approval**

1. Baseline Heights S/D Unit No. 1 - Pct. #1
2. Rincon del Valle S/D No. 5 - Pct. #2

D. Variance Request:

1. Artsob Subdivision - Pct. #4

E. Partial Release of Letter of Credit

1. Cielo Azul Subdivision No. 1 & 2 - Pct. #1

13/A/1

Emilio Garcia, Chief Planner, came before the Court requesting approval of Bibleville Subdivision. This is in Precinct Two and it is a one lot subdivision to be used for a church. A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

(See Exhibit R)

13/A/2

Mr. Garcia was also requesting approval of Bonita Estates Subdivision which is in Precinct Two located 1320 feet west of Tower Road on the south side of Alamo Road. 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/A/3

The next request was for approval of Morales Subdivision which is in Precinct Three located 662 feet east of Stewart Road on the south side of the 7 Mile Line. 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/4

The following request was for approval of Joykin Julian Subdivision which is in Precinct Four. A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve the request as presented.

MOTION CARRIED.

(See Exhibit R)

13/B

Mr. Garcia was requesting preliminary approval of Abel No. 3 Subdivision in Precinct Four and located  $\frac{3}{4}$  mile east of Tower Road on the South side of Trenton Road. He stated that preliminary approval was subject to the street signs, traffic control

devices, testing of the streets, a final letter from the corporation and the drainage facilities affidavit. A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve the preliminary approval of Abel #3 Subdivision, as presented.

MOTION CARRIED.

(See Exhibit R)

13/C/1

Mr. Garcia was requesting final plat approval of Baseline Heights Subdivision Unit No. 1 which is in Precinct One. 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/2

The next request was for final approval of Rincon del Valle Subdivision No. 5 which is in Precinct Two. A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

(See Exhibit R)

13/D

Mr. Garcia reported that there was a variance request on Artsob Subdivision. This subdivision is in Precinct Four located on Dillon Road and Wisconsin Road and it is a five lot subdivision. The variance is to Section 9.2 of the County subdivision regulations and since Wisconsin Road is an unopened road, the developer feels that it would be a waste of money and caliche to maintain the unopened road. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to grant the variance for Artsob Subdivision.

MOTION CARRIED.

(See Exhibit R)

13/E

Mr. Garcia stated that the last request under the Planning Department was for a partial release of a letter of credit on Cielo Azul Subdivisions No. 1 & 2. These are located in Precinct One. The original letter of credit was for \$145,271.00 and he is requesting that \$76,380.00 be released. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

(See Exhibit R)

**ITEM 14. TAX OFFICE**

## A. Approval of 1997 Annual Report

Armando Barrera, the County Tax Assessor/Collector, came before the Court requesting approval of the 1997 annual report. He proceeded to explain the report and stated that the total collections for the County Drainage, four fire districts, South Texas ISD and other road districts was \$43,301,157.41. In base taxes, penalty and interest they had \$526,044.69 for a grand total of \$43,827,202.10. In delinquent collections they collected \$4,781,233.92 and the penalty and interest on that was \$1,782,320.08 for a grand total of \$6,563,544.00. This resulted in a total grand total of \$50,390,756.10 in collections. There was an outstanding amount of \$6,380,961.60 in total delinquent taxes. Commissioner Arcaute asked Mr. Barrera how this report compared with the previous year's report and Mr. Barrera replied that this year they had 87.25% as opposed to 87.53% last year. He attributed this to farming conditions, the flooding in the Weslaco area as well as a higher levy the previous year. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the 1997 annual report as presented.

MOTION CARRIED.

(See Exhibit S)

**ITEM 15. PURCHASING DEPARTMENT**

## A. Hidalgo County

1. Requesting authority to advertise for Appraisal and Review Appraisal Services for Jackson Road Project
2. Requesting authority to advertise for Hidalgo County "Bottled Water Service"
3. Requesting authority to advertise for "Vending Machine Service" for Hidalgo County (as recommended by legal and requested by Commissioners' Court on June 9, 1997)

## B. Hidalgo County Boot Camp

1. Award of "Pavilion with six (6) Basketball Standards, Backboards, Rims and Nets" - Corner Stone Construction
2. Award of "Paving on Outdoor Running Track" - Valley Paving Incorporated

## C. Hidalgo County Precinct 1

1. Recommending rejection of sole bid received for "Lakeway Drive - Progresso Lakes" for Precinct #1
2. Authorization to advertise for "One (1) 1998 ½ Ton extended Cab 4 X 2 Pickup Truck" and "Three (3) 1998 Extended Cab 4 Wheel Drive Pickup Trucks"

## D. Hidalgo County Sheriff's Office

1. Approval of contract modifications and extensions for "Nursing services with Diana Mussel"
  - a. Hourly rate reduced from \$25.00 to \$13.00
  - b. Contract extended until December 31, 1997 (original contract expires August 31, 1997)
  - c. Request exemption from competitive bidding requirement for Professional Service/Medical Service for the Infirmary at the Adult Detention Facility
  - d. Requesting approval of a Professional Service contract/Medical Service with Dr. Fernando Ortegon, Jr.

## E. Hidalgo County Elections Department

1. Requesting removal of asset - One (1) Fujitsu Mobile Telephone with tag #022952 from inventory list due to theft

## 15/A/1

Martha Salazar, the County Purchasing Agent, came before the Court requesting authority to advertise for appraisal and review appraisal services for the Jackson Road project. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.  
(See Exhibit T)

## 15/A/2

She was also requesting authority to advertise for "bottled water service" for Hidalgo County. She mentioned that this was a new item and she felt that they could get a better deal if they went out for this on a county-wide basis. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.  
(See Exhibit T)

## 15/A/3

Mrs. Salazar presented the request for authority to advertise for "vending machine service". Commissioner Rosel instigated a discussion with a question regarding the lack of a policy for this type of service and a situation that had occurred as a result of the lack of policy. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the advertising for bids for "vending machine service" for Hidalgo County.

MOTION CARRIED.  
(See Exhibit T)

## 15/B/1

Mrs. Salazar reported that the Hidalgo County Boot Camp was requesting that this Court award the bid for "pavilion with six basketball standards, backboards, rims and nets" to Corner Stone Construction. They are the low bid, of two bids received, at a price of \$36,279.00. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.  
(See Exhibit T)

## 15/B/2

The Hidalgo County Boot Camp was also requesting the awarding of bid for "paving on outdoor running track" to Valley Paving Inc.. They were the low bidder, of two bids received, at a price of \$20,545.00. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit T)

## 15/C/1

Precinct One was recommending the rejection of the sole bid received for "Lakeway Drive - Progreso Lakes". The reason for the rejection was that the sole bid was over budget. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit T)

## 15/C/2

A motion was made by Commissioner Handy and seconded by Commissioner Garces to authorize the advertising for bids for "One (1) 1998 ½ Ton extended Cab 4 X 2 Pickup Truck" and "Three (3) 1998 Extended Cab 4 Wheel Drive Pickup Trucks".

MOTION CARRIED.  
(See Exhibit T)

## 15/D/1/a&amp;b

The Sheriff's Office was requesting approval of contract modifications and extension for "nursing services with Diana Mussel". The modifications were to reduce the hourly rate from \$25.00 to \$13.00 and to extend the contract to December 31, 1997. A motion was made by Commissioner Garces and seconded by Commissioners Arcaute and Rosel to approve the request as presented.

MOTION CARRIED.  
(See Exhibit T)

15/D/1/c

The Sheriff's Office was also requesting an exemption from competitive bidding requirements under professional services/medical services for the infirmary at the Adult Detention Facility. The exemption is with Dr. Fernando Ortegon, Jr. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit T)

15/D/1/d

The Sheriff's Office was requesting approval of a professional service contract for medical services with Dr. Fernando Ortegon, Jr. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a request as presented.

MOTION CARRIED.  
(See Exhibit T)

15/E

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the removal of asset #022952, one Fujitsu Mobile Telephone from the inventory list at the Elections Department due to theft.

MOTION CARRIED.  
(See Exhibit T)

**ADD. 1. COMMISSIONER PCT. #3**

- A. Approval of budget amendment in the amount of \$6,666.67 from the General Fund - EMS Ambulance Service

Item already considered and acted on with Item 6 of the Commissioners' Court Regular agenda.

NO ACTION.  
(See Exhibit U)

**ADD. 2. COUNTY JUDGE'S OFFICE - RAYMOND AGUILAR**

- A. Approval of revised interlocal agreement for Texas Association of Counties - County Government Risk Management pool
- B. Approval Insurance Renewal Application for the period of July 10, 1997 thru July 10, 1998
- C. Approval of budget amendment and appropriation of funds in the amount of \$50,000.00 for Traffic Engineering and Design Agreement approved by Commissioners' Court on April 14, 1997

Add. 2/A

Raymond Aguilar came before the Court requesting approval of a revised interlocal agreement for Texas Association of Counties (TAC) with regards to the County Government Risk Management pool. He indicated that TAC was requiring that the agreement and the applications be approved and submitted to TAC. He mentioned that he had talked to a representative from TAC on this issue and it appeared that there were some problems with the applications and he was requesting that they be approved by this Commissioners' Court. The revision on the agreement was with regards to the termination in that there was a sixty day notice of cancellation which was changed to a thirty day notice of cancellation and due to new legislation it would revert back to the sixty day notice effective September 1<sup>st</sup>. After some discussion, a motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

(See Exhibit V)

Add. 2/B

Mr. Aguilar then stated that he was requesting the approval of the insurance renewal applications for the period of July 10, 1997 thru July 10, 1998. A discussion ensued with regards to issues coming before the Commissioners' Court right before or on the date that they are due at State or Federal entities. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

(See Exhibit V)

Add. 2/C

Paul Vazaldua came before the Court requesting approval of a budget amendment and appropriation of funds in the amount of \$50,000.00 for Traffic Engineering and Design Agreement as approved by Commissioners' Court on April 14, 1997. Commissioner Handy asked what these monies were for and Mr. Vazaldua responded that this was for the actual invoices that come in for the services that are being provided. The agreement indicates that there is a retainer fee of \$500.00 per month and even this has not been paid for the last four months. Commissioner Garces stated that it was his understanding that this would be paid out of Urban County funds

and Manuel Cavazos, the County Auditor, indicated that there were funds available in the Road and Bridge County Wide fund. Commissioner Rosel recommended that they be paid out of the Urban County County-Wide Funds. After further discussion, it was recommended that *no action* be taken on this item at this time.

NO ACTION.  
(See Exhibit V)

There being no further business to come before the Court, a motion was made by Commissioner Rosel 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 Donna - Victoria Palms
- B. City of Mission - Ashbrook Subdivision

(See Exhibit W)

#### **ITEM 2. INTERNAL LINE ITEM TRANSFER - \$1,000.00**

(See Exhibit X)

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

MOTION CARRIED.

### **REGULAR AGENDA**

#### **ITEM 1. EXEMPTION FROM BIDDING PROCESS FOR PROFESSIONAL SERVICES**

**- FABIAN,  
NELSON & MEDINA**

A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to authorize the exemption from the bidding process under professional services for the engineering firm of Fabian, Nelson & Medina for the Home Depot Project.

MOTION CARRIED.  
(See Exhibit Y)

**ITEM 2. AUTHORIZATION TO ENTER INTO CONTRACT WITH FABIAN, NELSON & MEDINA -  
HOME DEPOT PROJECT**

A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to enter into a contract with Fabian, Nelson & Medina, for engineering services for the Home Depot Project.

MOTION CARRIED.  
(See Exhibit Z)

**ITEM 3. APPROPRIATION OF FUND RECEIVED FROM TEXAS ASSOCIATION OF COUNTIES -  
UNEMPLOYMENT FUND**

Godfrey Garza, Drainage District Manager, came before the Board requesting the appropriation of funds received from the Texas Association of County for the Unemployment Fund. The amount to be appropriated is approximately \$2,800.00. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.  
(See Exhibit AA)

**ITEM 4. PURCHASING DEPARTMENT**

- A. Requesting one (1) Trane Heat Pump/Air Conditioning thermostat be declared surplus

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the declaration of one Trane Heat Pump/Air Conditioning thermostat as surplus.

MOTION CARRIED.

(See Exhibit AB)

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

MOTION CARRIED.