

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. LINE ITEM TRANSFERS

- A. Commissioner Pct. #1 - \$3,000.00
- B. Commissioner Pct. #4 - \$100,000.00
- C. 332nd District Court - \$1,000.00 & \$400.00
- D. County Court at Law #2 - \$300.00 & \$650.00
- E. Sheriff's Department - \$10,300.00
- F. Sheriff's Department - Jail - \$2,500.00
- G. Sheriff's Department - U.S. Dept. of Justice Immigration Program - \$9,446.74
- H. County Extension Service - \$1,500.00
- I. Elections Department - \$216.98
- J. District Clerk's Office - \$13,793.25
- K. Adult Probation - Community Corrections - \$595.00
- L. Tax Office - \$4,750.00
- M. Texas DPS - \$245.00

(See Exhibit A)

ITEM 3. URBAN COUNTY PROGRAM

- A. HOME - "First Time Homebuyer Contract Agreement" and Letter of Commitment to Mortgage Company (2 Families)

(See Exhibit B)

ITEM 4. PLANNING DEPARTMENT

- A. Lot 1A & 1B Tim Development Subdivision - Pct. 2

(See Exhibit C)

ITEM 5. RIGHT OF WAY DEPARTMENT

- A. Permits
 - 1. City of Edinburg
 - 2. Chateau Estates

(See Exhibit D)

The County Judge introduced the Consent Agenda and Commissioner Garces indicated that there was a correction with regards to Item 2/B on the account number;

the correction is on where the amount will be transferred to being 7-010-432-440.42. There being no other changes, a motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the Consent Agenda with the amendment.

MOTION CARRIED.

EXECUTIVE AGENDA

ITEM 1. CLOSED SESSION

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas

Government Code, Section 551.071 to discuss the following matter

A. Litigation

1. Consultation with Attorney regarding Civil Action No. M-94-115 Maria Sanchez et al, -vs- Hidalgo County

NO ACTION.

ITEM 2. OPEN SESSION

A. Litigation

1. Consultation with Attorney regarding Civil Action No. M-94-115 Maria Sanchez et al, -vs- Hidalgo County

The County Judge informed the Court that no action would be required under Executive Session at this time.

NO ACTION.

(See Exhibit E)

REGULAR AGENDA

ITEM 1. COMMISSIONER PCT. 4

- A. Texas A&M University Center for Housing and Urban Development
Presentation on Community Centers - Larry Rincones

Larry Rincones came before the Court and showed a video and had a brief presentation on Texas A & M University Center for Housing and Urban Development's colonia program that indicated this program's accomplishments since its inception. He did say that this program was funded by the legislature and by the University every two years. He then proceeded to give an in depth explanation of this program and also any future plans. After some discussion no action was needed on this item.

NO ACTION.
(See Exhibit F)

ITEM 9. COUNTY EXTENSION SERVICE

- A. Presentation (5 min.) on a Resolution for "National 4-H Week" - October 4-10, 1997

Brad Cowen, County Extension Agent, came before the Court and made a brief presentation to introduce his request that Commissioners' Court approve a resolution declaring the week of October 4th through the 10th, 1997 as "National 4-H Week". The County Judge then proceeded to read the resolution with the assistance of a couple of kids who belonged to the 4-H organization. A motion was then made by Commissioner Arcaute and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit G)

ITEM 2. COUNTY JUDGE'S OFFICE

- A. Budget amendment in the amount of \$3,600.00 to pay for services in connection with financial advisors for 1996 bond issue & approved to pay bill
B. Budget amendment in the amount of \$2,000.00 (Lunacy Trials)
C. Authorization to declare October 8th, 1997 Breast Cancer Awareness Day in Texas

2/A

Loura Etnire, Chief Administrative Assistant to the County Judge, came before the Court and indicated that she was requesting a budget amendment in the amount of \$3,600.00 to pay for the services provided by the financial advisors who worked on the 1996 bond issue. She was also requesting that the bill be approved for payment. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit H)

2/B

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize a budget amendment in the amount of \$2,000.00 for Lunacy Trials.

MOTION CARRIED.
(See Exhibit H)

2/C

Paul Vazaldua, Administrative Assistant to the County Judge, informed the Court that this item was a request from the University of Texas Medical Branch at Galveston. He stated that this year marked the 22nd National Breast Cancer Awareness Month and Wednesday, October 8th will be designated as National Breast Cancer Awareness Month throughout the State of Texas and it was being requested that Hidalgo County approve a resolution to this effect. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit H)

ITEM 3. JUVENILE PROBATION

- A. Budget amendment in the amount of \$4,000.00 out of T.J.P.C. Interest Fund Balance and into the Computerization Budget
- B. Budget amendment in the amount of \$12,500.00 out of Juvenile Detention Center Budget
- C. Authorization to declare damaged and unusable items salvage/surplus

3/A

Israel "Buddy" Silva, Juvenile Probation Director, came before the Court requesting a budget amendment in the amount of \$4,000.00. These funds would be coming out of the Texas Juvenile Probation Commission Interest fund balance and they would be placed in the computerization budget in order to upgrade the computer system at the Probation Department. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit I)

3/B

Mr. Silva was also requesting a budget amendment in the amount of \$12,500.00 from the General Fund. These funds were needed to provide food services for the kids within the Detention Center. Commissioner Rosel asked him if these funds would get him through the remainder of the year and Mr. Silva indicated that they would. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit I)

3/C

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the declaration of damaged and unusable items from the Juvenile Probation Department as salvage and/or surplus.

MOTION CARRIED.
(See Exhibit I)

ITEM 4. W.I.C. PROGRAM

- A. Approval of the WIC Program Grant No. 746000717698
- B. Authorization to set salaries on the above grant
- C. Approval of Budget for FY 98 (Oct. 97 - Sept. 98)

4/A

Norma Longoria, WIC Director, came before the Court requesting approval of the WIC Program Grant no. 7460007176-98 in the amount of \$6.50 per participant. This grant would run from October 1st, 1998 through September 30th, 1999. A motion was made by Commissioner Garces and seconded by Commissioners Rosel and Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit J)

4/B

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to set the salaries for the WIC Program grant approved previously.

MOTION CARRIED.
(See Exhibit J)

4/C

Ms. Longoria stated that she was requesting approval of the budget for FY '98 in the amount of \$4,437,642.00. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit J)

ITEM 5. SHERIFF'S DEPARTMENT

- A. Approval of Sheriff/Constable Fee Schedule
- B. Authorization to accept the South Texas Auto Theft Enforcement Grant 9/1/97 - 8/31/98
- C. Approval of budget amendment in the amount of \$25,046.00 for required local cash match and the appropriation of same

- D. Appropriation of the ATPA Funding portion of the grant budget in the amount of \$130,189.00
- E. Set Salaries
- F. Approval of Interlocal Agreement and related documents

5/A

Emilia Uriegas came before the Court requesting the approval of the Sheriff and Constable Fee Schedule for 1998. She indicated that there were a few changes under the County and District Courts. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit K)

5/B

Ms. Uriegas was also requesting that the Court accept the South Texas Auto Theft Enforcement Grant for the period of September 1st, 1997 through August 31st, 1998. A discussion ensued with regards to a concern by Commissioner Garces about what entities were taking part in this grant. This discussion included comments from the County Commissioners as well as Lt. John Montemayor. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit K)

5/C

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize a budget amendment in the amount of \$25,046.00 for the required local cash match for the South Texas Auto Theft Enforcement Grant and the appropriation of same.

MOTION CARRIED.
(See Exhibit K)

5/D

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the appropriation of the ATPA funding portion of the grant budget in the amount of \$130,189.00.

MOTION CARRIED.
(See Exhibit K)

5/E

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to set the salaries of the employees under the South Texas Auto Theft Enforcement grant.

MOTION CARRIED.
(See Exhibit K)

5/F

A motion was made by Commissioner Garces and seconded by Commissioners Rosel and Handy to approve the interlocal agreement and related documents as required for the South Texas Auto Theft Enforcement Grant.

MOTION CARRIED.
(See Exhibit K)

ITEM 6. HEALTH DEPARTMENT

- A. Approval of payment for Change Order #1 - G.A.S. Enterprises, Inc. (Pulmonary Clinic)
- B. Approval of payment for Architectural Services (Alvarado Architects & Assoc.) - Pulmonary Clinic
- C. Authorization to apply and to submit an application for Title V funds for Abstinence Education
- D. Appropriate the Title V (W&C Fees) in the amount of \$600,000.00
- E. Approval of Title V (W&C Fees) Program Grant No. 7460007176A-98 in the amount of \$600,000.00
- F. Authorization to set salaries on Grant No. 7460007176A-98
- G. Authorization to appropriate the Early Childhood Intervention Program Grant in the amount of \$85,000.00
- H. Approval of the Early childhood Intervention Program Grant renewal in the amount of \$85,402.00
- I. Authorization to set salaries on the Childhood Intervention Program Grant

6/A&B

Judge Cuellar informed the Court that no action would be required on these items at this time.

NO ACTION.
(See Exhibit L)

6/C

Dr. James Michael Keenan, County Health Director, came before the Court requesting authorization to apply and to submit an application for Title V funds for "Abstinence Education". He did point out that this grant had a three for four match requirement, but the match could be in in-kind such as real estate or volunteers. A

motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit L)

6/D

A motion was made by Commissioner Garces and seconded by Commissioner Handy to appropriate the Title V (W&C Fees) in the amount of \$600,000.00.

MOTION CARRIED.
(See Exhibit L)

5/E

A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the Title V (W&C Fees) Program grant no. 7460007176A-98 in the amount of \$600,000.00.

MOTION CARRIED.
(See Exhibit L)

5/F

A motion was made by Commissioner Garces and seconded by Commissioner Handy to authorize the setting of salaries on the Title V (W&C Fees) Program Grant.

MOTION CARRIED.
(See Exhibit L)

5/G

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to authorize the appropriation of the Early Childhood Intervention Program Grant in the amount of \$85,000.00.

MOTION CARRIED.
(See Exhibit L)

6/H

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the Early Childhood Intervention Program Grant in the amount of \$85,402.00.

MOTION CARRIED.
(See Exhibit L)

6/1

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to set the salaries under the Childhood Intervention Program Grant.

MOTION CARRIED.

(See Exhibit L)

ITEM 7. J.P. PCT. 3 PL. 1

A. Budget amendment in the amount of \$551.86

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a budget amendment in the amount of \$551.86 for the Justice of the Peace, Pct. 3, Pl. 1 for payment of a pending bill.

MOTION CARRIED.

(See Exhibit M)

ITEM 8. AUDITOR'S OFFICE

A. Budget amendments to pay Appraisal District Appraising Fees

- a. In the amount of \$4,873.63 out of the General Fund
- b. In the amount of \$519.80 out of County Wide Parks
- c. In the amount of \$2,018.28 out of Debt Service, 96 Series
- d. In the amount of \$842.84 out of Debt Service, 91 Series

B. Amendment from Youth Village Fund Balance to cover insurance payments to TAC and Appropriate \$8,584.34 as follows:

- a. 7-130-423-000.54 Property Insurance \$1,632.73
- b. 7-130-432-000.55 Auto Insurance \$131.00
- c. 7-130-423-000.56 Other Insurance \$6,820.61

C. Budget amendment in County Wide Road and Bridge Fund to cover auto insurance payment to TAC

D. Correction of budget account numbers only - from 7-010-412-100 to 7-010-412-300 the amendment was approved 9/23/97 agenda item G-1, court appointments clerk

8/A/a

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve a budget amendment in the amount of \$4,873.63 out of the General Fund to pay Appraisal District appraising fees.

MOTION CARRIED.

(See Exhibit N)

8/A/b

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve a budget amendment in the amount of \$519.80 out of the County Wide Parks fund to pay Appraisal District appraising fees.

MOTION CARRIED.

(See Exhibit N)

8/A/c

A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve a budget amendment in the amount of \$2,018.28 out of the Debt Service Fund, Series 1996 to pay Appraisal District appraising fees.

MOTION CARRIED.

(See Exhibit N)

8/A/d

A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve a budget amendment in the amount of \$842.84 out of the Debt Service Fund, Series 1991 to pay Appraisal District appraising fees.

MOTION CARRIED.

(See Exhibit N)

8/B/a

A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve an amendment from the Youth Village Fund Balance in the amount of \$1,632.73 to cover insurance payments to TAC for property insurance.

MOTION CARRIED.

(See Exhibit N)

8/B/b

A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve an amendment from the Youth Village Fund Balance in the amount of \$131.00 to cover insurance payments to TAC for auto insurance.

MOTION CARRIED.

(See Exhibit N)

8/B/c

A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve an amendment from the Youth Village Fund Balance in the amount of \$6,820.61 to cover insurance payments to TAC for other insurance.

MOTION CARRIED.

(See Exhibit N)

8/C

A motion was made by Commissioner Arcaute and seconded by Commissioners Garces and Handy to approve a budget amendment in the County Wide Road and Bridge to cover auto insurance payment to TAC in the amount of \$6,871.00.

MOTION CARRIED.

(See Exhibit N)

8/D

Manuel Cavazos, the County Auditor, informed the Court that this item was just a correction on the account numbers from 7-010-412-100 to 7-010-412-300. A motion was made by Commissioner Arcaute and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.

(See Exhibit N)

ITEM 10. URBAN COUNTY PROGRAM

- A. Approval to enter into a contract with South Texas Economic Development Corporation, Inc. as a Community Housing Development Organization

Anthony Covacevich, Urban County Director, came before the Court requesting approval to enter into a contract with South Texas Economic Development Corporation, as a Community Housing Development Organization, Inc. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

(See Exhibit O)

ITEM 11. PLANNING DEPARTMENT

- A. Subdivisions:

1. Sayavedra Subdivision - Pct. 3
2. Sharyland Heights S/D Phase II - Pct. 3
3. Owassa Estates S/D Unit No. 2- Pct. 4

- B. Final Plat Approval:

1. Summerview Subdivision Unit No. 2 - Pct. 1

- C. Partial Release of Letter of Credit

1. Pueblo Del Sol Subdivision - Pct. 1

- D. Discussion & Possible Action - Presentation Anthony Covacevich

1. Chapa North Right of Way Subdivision - Pct. 1

11/A/1

Emilio Garcia, Chief Planner, came before the Court requesting approval of Sayavedra Subdivision. This is in Precinct Three located 240 feet north from 4 Mile Road on the west side of Doffing Road. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit P)

11/A/2

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve Sharyland Heights Phase II Subdivision which is in Precinct Three located $\frac{1}{4}$ mile north from Mile 9 North Road on the west side of F.M. 2993.

MOTION CARRIED.
(See Exhibit P)

11/A/3

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve Owassa Estates Unit No. 2 Subdivision which is in Precinct Four located $\frac{1}{4}$ mile east from Cesar Chavez Road on the north side of Owassa Road.

MOTION CARRIED.
(See Exhibit P)

11/B

A motion was made by Commissioner Handy and seconded by Commissioner Rosel to give final approval to Summerview Subdivision Unit No. 2 which is in Precinct 1 located 215 feet north from Mile 10 North on the east side of Mile 4 West.

MOTION CARRIED.
(See Exhibit P)

11/C

Mr. Garcia informed the Court that the developer of Pueblo Del Sol Subdivision was requesting authorization for partial release of the letter of credit. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

(See Exhibit P)

11/D

Anthony Covacevich came before the Court and explained that Chapa North Right of Way Subdivision was one of the subdivisions that they were platting under the grant that was received from the State to provide water services. This subdivision was located 660 feet west of F.M. 1015 on the north side of 12 ½ Mile Road. This was a right of way dedication only for the paving of the street. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

(See Exhibit P)

ITEM 12. PURCHASING DEPARTMENT

A. HIDALGO COUNTY

1. Authority to incorporate additional members (county employees & private sector participants) to form the grading committee for the evaluation and ultimate recommendation of RFP award as opposed to only Mr. Ken Wethe (consultant on project for Hidalgo County Health Insurance)
2. Recommend award of bid on "Tires" for Hidalgo County to sole bidder
3. Approval of contract on "Tires" for Hidalgo County to Goodyear Auto Service Centers

B. HIDALGO COUNTY PCT. 3

1. Recommendation of rejection of all bids for "Culvert Pipe Installation"

C. HIDALGO COUNTY PCT. 4

1. Requesting approval of contract for "Hauling Services for Hot Mix"
2. Requesting authority to advertise for "One (1) 1992 or Newer Backhoe Loader"

D. HEALTH DEPARTMENT

1. Requesting exemption from competitive bidding requirements for Professional Services/Medical Services
2. Requesting approval of contract for Professional Services for Dr. McAulay Ojeaga, Dr. Erasto Canales and Dr. Kevin Davis

E. WIC PROGRAM

1. Recommending award of bid on "Catalog" Miscellaneous Office Supplies, Administrative Office Furniture and Equipment" to multiple vendors
2. Requesting approval of contracts

F. PCTS. #1 & 3:

1. Discussion and action on termination of contract for security service for Parks and Pavilions with In The Shadow Security Services

12/A/1

Martha Salazar, County Purchasing Director, came before the Court and reported that this was a request for the expansion of a grading committee as opposed to just having the consultant, Mr. Ken Wethe, review the proposals as they come in, grade them and recommend award. Commissioner Garces stated that he had received some calls with regards to the current plan and possible involving employees and department heads in the grading process. Mrs. Salazar gave a brief recap of how this matter has evolved up to this point. After a brief discussion, Commissioner recommended that they set up a committee to evaluate the proposals comprising of Mrs. Salazar and Mario Garza, who was with Mission Hospital and a gentleman from Knapp Medical Center in Weslaco. Commissioner Arcaute then asked what the specifications said and Mrs. Salazar indicated that they did not indicate who would be grading the RFP. Commissioner Arcaute then asked if the RFP designated Mr. Wethe as the person making the evaluation and Mrs. Salazar said that it did designate him as the consultant for the RFP. She added that this RFP has been advertised and the closing date is sometime in October. After a brief discussion, a motion was made by Commissioner Rosel and seconded by Commissioner Garces to incorporate additional people to evaluate the insurance recommendation or proposals that will be received by the Commissioners' Court, in addition to the consultant, Mr. Ken Wethe, he would like to recommend a committee of three additional people comprised of Martha Salazar, Mario Garza and Antonio Castillo.

MOTION CARRIED. (COMM. ARCAUTE VOTED AGAINST THE MOTION.)
(See Exhibit Q)

12/A/2

Mrs. Salazar reported that she was recommending the awarding of the bid for tires to the sole bidder being Goodyear Auto Service Centers. A motion was made by Commissioner Arcaute and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

12/A/3

A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve a contract with Goodyear Auto Service Centers for the purchase of tires.

MOTION CARRIED.
(See Exhibit Q)

12/B

Mrs. Salazar reported that Precinct Three was requesting the rejection of all bids for "Culvert Pipe Installation". She stated that she had received three bids,

however the low bidder had requested that his bid be removed and another bid came in over budget. Mrs. Salazar had recommended that the remaining bid be rejected and that Precinct Three join with Precincts One and Four for a culvert pipe installation bid. 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/1

Precinct Four was requesting the approval of a contract for “hauling services for hot mix” with Hi-Lo Sales, as previously awarded. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

12/C/2

A motion was made by Commissioner Garces and seconded by Commissioner Handy to authorize the advertisement for “One (1) 1992 or Newer Backhoe Loader” for Precinct Four.

MOTION CARRIED.
(See Exhibit Q)

12/D/1

The County Health Department is requesting an exemption from competitive bidding requirements under professional services/medical services. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the exemption.

MOTION CARRIED.
(See Exhibit Q)

12/D/2

A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve a contract for professional services with Dr. McAulay Ojeaja, Dr. Erasto Canales and Dr. Kevin Davis for the Health Department.

MOTION CARRIED.
(See Exhibit Q)

12/E/1

The WIC Department was requesting awarding of bid on “catalog miscellaneous office supplies, administrative office furniture and equipment” to multiple

vendors. Mrs. Salazar indicated that she had received six bids: Office Max Store 264, out of McAllen; Office Max out of McAllen, O'Neill Specialty Company, Inc. out of McAllen; DOS Business Products out of McAllen; Office Depot out of McAllen; and Corporate Express out of McAllen. She indicated that this bid was being awarded on three categories to multiple vendors. Commissioner Rosel pointed out that there was vendor who was wanting to speak with regards to this bid award and Fred Longoria, a representative from Clean-Rite, came forward and indicated that he did not bid because he felt that the big companies were making it too competitive that it was not allowing for the smaller companies to bid. Mrs. Salazar then reported that she was recommending the bids on the highest discount as follows: for office supplies - Corporate Express at 48%; office furniture - DOS Business Products and for office equipment - Office Depot. This resulted in a brief discussion after which a motion was made by Commissioner Arcaute and seconded by Commissioner Garces to approve the awards as presented.

MOTION CARRIED.
(See Exhibit Q)

12/E/2

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve contracts with Corporate Express, DOS Business Products and Office Depot for office supplies, office furniture and office equipment, respectively, for the WIC Program.

MOTION CARRIED.
(See Exhibit Q)

12/F

Mrs. Salazar indicated that this next item was on a situation that had arisen with a present contract under Precincts One and Three for security services for all parks and pavilions. She stated that there was a dispute over the ownership of a company and as a result she was recommending the termination of the contract. Mrs. Salazar continued by saying that the person who had signed the contract had verbally told her that he could not continue the terms and conditions of the contract. Commissioner Handy asked where this would leave the Precincts and Mrs. Salazar indicated that she was presently going out on requests for quotes which she hopes to complete today and she is recommending that constable forces be used for the weekend. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the termination of contract for security services with In The Shadow Security Services, as presented.

MOTION CARRIED.
(See Exhibit Q)

ITEM 13. JAIL PROJECT

- A. Consideration and Approval of Mode of Construction for the Hidalgo County Jail Project
 - 1. Design Build Construction
 - 2. Construction Management
 - 3. Conventional Method
- B. Discussion and Possible Action on Hidalgo County Jail Project Financing
- C. Discussion and Possible Action on Submittal to the City of Edinburg an application for a special use permit
- D. Approval of request for qualifications of Architects and other design professionals

JUDGE CUELLAR Jail Project. Consideration and approval of Mode of Construction for the Hidalgo County Jail Project. Let me say, let me report to the Court that we went to Austin to the hearing, two of the Commissioners were present, the Sheriff was present, District Attorney was present and I was present. They kind of landed on us pretty hard, that our credibility was, was a little bit in question. After the presentation by the District Attorney, the Sheriff and myself, and with the information that we cited, they say they were, they were impressed and they granted us two months extension. We're to appear on the 4th of December to show what progress we've made. Basically what I knew before hand was that the things they were questioning was that the Commissioners' Court and the Sheriff to get together and agree on a site. They should agree on the, on the mode of construction and that we should have a recommendation on financing. So, bear in mind, that these are the things that, that we have to come to an agreement on, within this period. That the, that the County Commissioners' Court and the Sheriff agree on a site and agree on mode of construction and that we let them know the, the financing that we're going to do.

COMM. ROSEL Want to do that today or...

JUDGE CUELLAR It's on the, it's on the agenda...

COMM. ROSEL Okay.

JUDGE CUELLAR Do you want to discuss it or take action...

COMM. ROSEL Well, ahm, would it be appropriate if, if we have the, the how are we gonna come up with the dollars first?

JUDGE CUELLAR Okay, I think...

- PAUL VAZALDUA** Judge, Commissioners, on the, Mr. Chuy Ramirez and Chris Vela are here and I think you've, I put in on the agenda possibly for just discussion at this time so that they can talk to us about what the procedure's gonna be to, to get to that point; and then what I've handed out to everybody is additional documentation that you can submit into that binder that I handed out last week and for the Commissioners that did not attend the Austin meeting, the first part is the letter as well as the timeline that was submitted to the Commission and, and then I'll go on with the additional documentation as we go out to the discussion.
- JUDGE CUELLAR** So, what do you have first, Paul?
- COMM. ROSEL** Ahm, Mr. Vela?
- PAUL VAZALDUA** Mr. Vela, Mr. Ramirez.
- COMM. ARCAUTE** What is the new information here, Paul, that, you made reference to something new...
- PAUL VAZALDUA** Right.
- COMM. ARCAUTE** ...aside from the book.
- PAUL VAZALDUA** Well, one of the things that, that the, that was very clear at the Austin meeting is that, is the time factor that we're dealing with and, and time becomes, you know, probably a, the most important, the most important factor because it's tied into the cost and in the second, the second section of, of your handout is a, is a cost estimate of what it's costing us currently to, to transport prisoners and now this is with an average of, to be in compliance with, with the population at the jail, it's an average of a hundred and eighty-two thousand four hundred per month and it's broken down on that an average of \$38.00 per day for the out, out of county inmates a thirty day cycle, an average of a hundred and sixty inmates. That's, that's one thing that the Commission made clear is that, during the time that we do not have the new facility or during the construction time, they do ask us to transport the inmates out of the county jail and this is basically the figure that we're gonna be looking at during those, that period.

- COMM. ARCAUTE** So the thirty-eight dollar per day per inmate includes transportation?
- PAUL VAZALDUA** That's, that includes transportation as an average, because some, some contracts that we have and Sheriff, you can correct me if I'm wrong, there are about thirty-five, thirty-six dollars per day and some of them go up to about forty dollars.
- SHERIFF ESCALON** The average from thirty-two fifty to forty-two dollars.
- COMM. ARCAUTE** Thirty-two fifty to forty-two.
- PAUL VAZALDUA** Thirty-two fifty to forty dollars, so I, I rounded that figure off.
- COMM. ARCAUTE** And that's probably because of the transportation.
- PAUL VAZALDUA** Right, right. Now the next document that I handed to you all is the, as I promised last week is to give you a copy of the setting that was submitted to the Judge's Office and to the Sheriff by the Texas Commission on Jail Standards and that's where we received the number of eleven, I believe it's eleven thirty-six...
- COMM. ARCAUTE** (Inaudible)
- PAUL VAZALDUA** Yeah, if you look at page nine of that document, page nine, it says "the above analysis indicates that Hidalgo County would need at a minimum eleven twenty-one jail beds by the year 2006. So, that's where the number came up of a thousand bed jail facility or an, ah, twelve hundred bed facility and, you know, looking for property that would have either additional area to expand or to, or to construct a...
- COMM. GARCES** But Paul, the question that we asked a couple of weeks ago was "is this eleven hundred including the four or the whatever we can salvage from the present site?" and we weren't sure and I think somebody mentioned that no, we need eleven thousand twenty-one and whatever is out there, this states, this tells us differently.
- PAUL VAZALDUA** Right, this tells us that, that a total, because of the growth analysis that they did and things like that. This, this is the total number of beds that they're, that they're recommending.
- COMM. GARCES** So, based on this we need an additional, seven-fifty.

PAUL VAZALDUA Approximately.

COMM. ROSEL Ah, you'll notice the last sentence on that page, it says "and lastly the County currently has approximately sixteen thousand un-served warrants..."

PAUL VAZALDUA Un-served warrants.

COMM. GARCES What type of warrants?

COMM. ROSEL Those criminal warrants, ----- . Are those criminal warrants, those sixteen thousand ?

SHERIFF ESCALON There is approximately sixteen thousand and they are criminal warrants, yes sir.

COMM. ROSEL Now, when we say criminal warrants do we also incorporated nisi's into the criminal warrants or is that separate?

SHERIFF ESCALON No, they're, they're...

COMM. ROSEL They're included there.

SHERIFF ESCALON Yes.

COMM. ROSEL Inclusive, okay.

COMM. GARCES Sheriff, you wouldn't have a count on the misdemeanor, compared to the felonious warrants?

SHERIFF ESCALON No, but he misdemeanors, there are a lot more misdemeanor warrants than there are...

COMM. GARCES Obviously, right, okay.

PAUL VAZALDUA Okay, Judge, Commissioners, the, the next, the next document is from an AIA manual, from a general architecture's manual and what I did is I pulled the sections that have the pros and cons of design-build, construction management and conventional method, which AIA calls it design award build, on, and it's numbered as page nine, as the first page as that's where the conventional starts and then on page twelve, construction management begins and then on page fourteen design-build. And that's just like for your reading or for, for you

to, to look over and, and it does, it gives a pretty good breakdown of the pros and cons of...

COMM. ARCAUTE

Would you recommend that we read this before we made a decision? Simple question.

COMM. ROSEL

I think, also, some of the things that we need to look at is, obviously what you've, they've got listed here for us, is some pros and cons of each type of concept and the other thing is that there's been a difference of opinion, one legal and one non-professional as to the design-build concept. Not design award build, but design-build concept. So, I think what we need to do is look at first of all, the conventional and what type of soft costs we'll be dealing with there; two, we need to look at construction management and see what kind of soft costs we're going to be dealing there and three, before we even deal with costs, we have to find out as to whether design-build will be something that we could look at from the stand point of this County. I think those three have to be approached. Now, I think our legal counsel has taken a stand that says that design-build cannot be a form of construction that the County can pursue and I respect that decision and what I'd like to do is I'd like to go to like a doctor, you get a second opinion and I'd like to go to a particular firm that specializes in these type of scenarios ----- one come from a ----- to or whatever they're called and find out from them if, if, if in fact the County can pursue this, if not then we eliminate that and we decide as to whether we're going to construction or conventional. When we're talking about construction management, you're talking about soft costs doubling, remember that. Paul, you remember that.

PAUL VAZALDUA

Soft costs, in terms of professional services?

COMM. ROSEL

Yes, because when you talk about construction management you're going to talk about ----- a particular firm that's gonna charge you a percentage and then on top of that you're still gonna have to hire an architect and he's gonna, he's gonna charge you a percentage.

PAUL VAZALDUA

Okay.

COMM. ROSEL

All right, so what and then normally, a normal rate when you get a construction manager involved, you're talking somewhere in the vicinity of five to seven percent; and, and,

and an architect, you would talk about a project like this specialty project, probably between somewhere at six and a half to eight and a half percent. We're talking almost fifteen percent soft costs right off the bat, which is too high for this Commissioners' Court to even...

COMM. GARCES

Go for this type...

COMM. ROSEL

Yeah, no, no...

COMM. ARCAUTE

But that's fifteen percent of what? We don't know the figure...

COMM. ROSEL

Well, well fifteen million...

COMM. ARCAUTE

----- can't cost you eight percent here, but if it's eight percent of but you see we don't have a number

COMM. ROSEL

Well...

COMM. ARCAUTE

This may result in saving this one that's gonna do it cheaper and cost you thirty and this may end up by saying okay you spent "x" percent that you bring it down to twenty.

COMM. GARCES

Good point.

COMM. ARCAUTE

So we've don't, see this comes back to what we were talking about on these bids. We don't have a reference.

COMM. GARCES

Right.

COMM. ARCAUTE

This is why I ask the question last week. How much do we want to spend, okay?

COMM. ROSEL

That's fine.

PAUL VAZALDUA

Let...

COMM. ARCAUTE

To, to, to, I know we've been through this for, it's not two meetings, three years. When the information that we have up to this point, traditionally or in the history or whatever, what has been the most economical system of those three to build a jail. Or do we know that? Any jail experts here? Bond counsel...

COMM. ROSEL

Bond counsel?

COMM. ARCAUTE Anybody that has, has any knowledge as to what is the most economical way to build a jail and this is something we have to consider, you know, because of our limited resources in this County.

COMM. GARCES Commissioner, I think the first thing we need to establish is what type of and it is not a jail, it's a detention center...

COMM. ARCAUTE Well...

COMM. GARCES ..jail is a state.

COMM. ARCAUTE Well...

COMM. GARCES All right.

COMM. ARCAUTE Nobody is going to get ----- in there.

COMM. GARCES There is a difference...

COMM. ARCAUTE And we know that.

COMM. GARCES The public perception is that ...

COMM. ARCAUTE But, but that's what I'm saying, you know, this, this is the reason we never get anywhere, you know. We get off the subject we discuss, we talk and we leave and we don't make any decisions or we table you know. Look this is what I'm getting at, I thought maybe we would simplify it and not waste a lot of these people's time here. What is it we want to do? Okay. So, we don't know the answer to that question, yet. What is the most economical way to build a jail and...

COMM. ROSEL Obviously...

COMM. ARCAUTE ...that is...

PAUL VAZALDUA For example, for example, Commissioner, there's a, there's, there's, there's, there's people that will tell you the most economical way to go is design-build and then there's other people that will tell you to build a new jail facility under the construction management mode would cost twenty thousand dollars per bed and to go conventional will cost approximately thirty-five thousand dollars per bed. So, even if the percentage points that Commissioner Rosel is talking about versus the,

the cost per bed there's still some costs savings there; and then there's additional information that says that cost savings would be even greater with design-build. So, the, the point is, is that there's no one on staff in this County that, ahm, that can bring those, those numbers to you and put an, an architectural seal on them and say this is, this is, this is a fact.

COMM. GARCES

Paul, but more important...

COMM. ROSEL

Exactly.

COMM. GARCES

...let me tell you. Now, now the reason...

COMM. ARCAUTE

Well, maybe that shouldn't be our first step.

COMM. GARCES

Yeah and also...

COMM. ARCAUTE

It's ----- can do it.

COMM. GARCES

The type of, for discussion purposes, jail that we want is gonna be based on what type of security we want: maximum, one-on-one security, medium security. The lower, the lower risk that we have the higher the number we get in that area, the more economic it's gonna be for our tax base, all right, our taxpayer. Bottom line, all right. You don't want to segregate a cell one-to-one, cause that's where the, the prices go up. That is what we have to establish and that's why we need experts in that area. Maybe even as far as on our counsel to determine what the Jail Commission will allow us to put in as far as medium to low risk areas and addressing that maximum security that we need and that's where we're gonna get the savings. That's where we're gonna be very efficient.

COMM. ARCAUTE

Well, but that will be accomplished by whoever designs it, in cooperation, of course, with, with you know the Sheriff, okay. And I think we should take it a step at a time, you know, let's go to step one and then eventually we'll get to step five and I'm sure there's going to be more than five steps to this, rather than start discussing, you know, here about, you know tat-tat-tat. If, if we don't, if we don't have or we do have a pretty good idea that design-build is the most economic way the next question is and I'm sure that's taken into consideration when they say you know how much will it cost, is the time that it will take to build.

PAUL VAZALDUA

Right.

COMM. ARCAUTE

That's also a factor.

COMM. ROSEL

Well...

COMM. ARCAUTE

Right.

COMM. ROSEL

Could I please interfere just, interrupt just for a minute 'cause I think, Chuy Ramirez, bond counsel wants to say something to the, in regards to this particular matter. Would you give him an opportunity?

JESUS RAMIREZ

Yeah, just one thing and, and ah, good morning.

JUDGE CUELLAR

Morning, Chuy.

JESUS RAMIREZ

Familiarity breeds contempt that's why I stayed away for, for such a long time, but now that we, now that we hear that something's moving, I, we decided to come, come back and..., we, we've looked at the design-build concept, Commissioner, you, you raised that several years ago, when, when the Court was looking at that you will recall that we also looked at lease-purchase and spent a lot of time creating that corporation and trying to do that, that financing. Since that period of time, the Attorney General has issued an opinion with respect to a design-build concept in which it clearly, he clearly prohibits a design-build that does not include a private operation of the jail. So,...

COMM. ROSEL

So that's out of the question?

JESUS RAMIREZ

It seems to me that it's pretty clear and I don't, I don't think that you need, I mean, Fullbright and Jaworski is a great firm but, but I think that you've got...

COMM. ROSEL

(Inaudible)

JESUS RAMIREZ

...yeah, you've, you've got man himself, that's, that's the AG and I think it's pretty clear if you read the opinion it's pretty clear that he's telling us you cannot do a design-build solo unless you tie it in to, to a private operation. That seems to be pretty clear, Commissioner, and that's, I guess that's the only point I wanted to make and then someone asked about...

JUDGE CUELLAR I'm sure we can agree that design-build is out, because you don't want to give up the running of the jail.

SHERIFF ESCALON That's correct.

JUDGE CUELLAR Okay.

JESUS RAMIREZ Now with respect to the, with respect to, to I guess addressing the, the, the question that Commissioner Arcaute had, had made with respect to cost. We, we have been building in the State of Texas, we have been building public buildings, ah, for sixty-five, eighty years I guess and for the most part they've just been based on a very simple approach and that is, you hire an architect, you design the darn thing and you bid it out and that's the way we've all been building buildings and, and those of us who have been in public law representing public bodies have always found that very simple, it's clear, it's clear for the lawyers, it's easier for the public officials, it's easy for the staff and, and that's the way we're all accustomed. Once, we move into the design-build and construction management techniques and, and, and Paul was, was making reference to what, what the people who are marketing these techniques offer you. Obviously, they're saying that that's, that's gonna be the, the cheapest way to go and in fact in some cases it is the cheapest way to go. This is, this is my opinion and that is based on my experience with representing public bodies, unless you have technical people in your staff full-time, it's very difficult to, to manage a, a, a design-build or a construction management contract.

COMM. ROSEL Construction management...

JESUS RAMIREZ It's extremely difficult to do that. For whatever the, for whatever that's worth if anything at all, but I don't know that you can make a judgment out of the blue and say construction management is gonna beat out design-build every time or design-build is gonna beat out the, the traditional orthodox construction technique. It's just, it's just what you, the way, the way that you go, but if you go one way or another it seems to me that you need to have the, the qualified staff here and that's one of the issues that we brought up last time with the, with the lease purchase. One of the concerns that, that we, that we addressed was who's gonna, who's gonna be out there on, representing the County in a construction, in a construction management, is, is the construction manager

gonna be our employee? Are we gonna hire him as our employee or our agent? Or are we gonna have a contract and he's gonna be an independent contractor relationship.

COMM. ROSEL

So, that's why I, I feel that and, that the safest concept would be to hire that particular architectural firm and then sit him down with the Sheriff's Department to draw, to put up the design. When they put the design together, they come to Commissioners' Court and we look at it, when we approve it we go out for bids. I think that's the safest scenario for us to follow rather than construction management because of the fact that construction management, you cost, am I right in assuming it's soft costs is gonna be higher than your normal, your conventional soft costs? Because you're gonna have a construction manager that's gonna charge a percentage...

JUDGE CUELLAR

Steve?

COMM. ROSEL

...and you're gonna have an architect that you're gonna charge a percentage.

STEVE CRAIN

I just wanted to bring in one more step that I think really is your initial step in this. Under the regulations, under the Texas Administrative Code, before you're gonna build a jail, you have to do a study which projects how many beds you're gonna need in the future. I think that's really is the first step is do that projection because you've got to get that information to the architect so they can design a facility that's gonna have that many beds.

COMM. ROSEL

Excuse me, Steve, we've got, we've had two assessments done already. One is by Vitteta, which did an assessment, Chuy was it Vitteta...

JESUS RAMIREZ

Yeah.

COMM. ROSEL

... and number two there is an assessment done by the Commission on Jail Standards which has also give their study to the Sheriff. So, that is already there in place, yes...

JESUS RAMIREZ

I didn't know and ----- Steve doesn't know about that was because a lot of that was done through the, through the corporation...

COMM. ROSEL

Right.

JESUS RAMIREZ ...through the, through the...

STEVE CRAIN But I'm just, I'm just saying as steps go, I think you need to get that study updated if you already have one to get it current, because that is what you got to submit to the, the Commission on Jail Standards before you can proceed with any type of construction.

COMM. ROSEL And, and I think that this Commission on Jail Standards gave you that assessment just not, not too long ago didn't they, Sheriff?

PAUL VAZALDUA I gave you all a copy of it today, Commissioner.

COMM. ROSEL Okay and that's dated when?

PAUL VAZALDUA This is dated June 25, 1997.

COMM. GARCES They're saying eleven twenty-one is the recommended...

PAUL VAZALDUA Eleven twenty-one.

COMM. GARCES ...-----whatever.

PAUL VAZALDUA Right.

COMM. GARCES Sheriff, the hotel section in the back have been made permanent areas.

SHERIFF ESCALON The temporary.

COMM. GARCES Remedial, yeah. The temps are not permanent.

SHERIFF ESCALON But they're not, no, there's two hundred beds back there that eventually will be scratched off ----- Jail Standards -----
...

COMM. ROSEL In going back to your conventional, what I think if you do on a conventional once we have a design or once the architect is in place then we can start looking for a particular person or persons that will, that will serve as a type of monitor for this county and under this Commissioners' Court to be able to, to supervise the construction along with the architect and the other people and that way we have information is coming to us

on a daily or weekly basis as to what's going on in the construction site and they can be our representatives rather than, than calling them consultants, project managers, construction managers, 'cause all of those words are words that trigger off percentages and I'm trying to say away from that because I think for months, months we went through that with the, with the corporation that, that was in place by this Commissioners' Court. Where they started talking as high as, I think, it was sixteen, seventeen percent of soft costs which was if you remember Commissioner, unacceptable by this Commissioners' Court.

- COMM. ARCAUTE** Right. Well, I think this is what, what I was making reference to a while ago. When we engage the services of an architect, he will do designing.
- COMM. ROSEL** Yes.
- COMM. ARCAUTE** But if he gets the additional charge of supervising construction, he's gonna charge you a little bit more.
- COMM. ROSEL** Well, that has to come under this Commissioners' Court and that has to be under...
- COMM. ARCAUTE** No. Well, would you agree that that's what happens.
- COMM. ROSEL** Yes.
- COMM. ARCAUTE** You hire me to do a design for you, I give you a design, you pay me and that's it. Okay.
- COMM. ROSEL** Well, it may be incorporated in that percentage, I don't know, I don't know.
- COMM. ARCAUTE** Okay, but if you tell me, "do me a design and in your figure on your proposal include what it'll cost us to pay you, the architect, to go ahead and supervise the construction of the, of that project you're going to design". Would you agree that the fee is gonna be a little bit higher?
- COMM. ROSEL** Obviously.
- COMM. ARCAUTE** Okay.
- COMM. ROSEL** If it's not incorporated, yeah.

COMM. ARCAUTE

I just want to make sure we establish that, because we say, well you're gonna have an architect then you're gonna have a manager, okay, he's gonna charge you a percentage, he's gonna charge you a percentage. This guy is gonna do it by himself, he may charge you the same percentage this, this supervisor is gonna charge you. That's what I'm saying, this is what we need to look at.

JESUS RAMIREZ

I think that's a very good, I think that's a very good point and, and what happens is that we, we get, we get ----- to the, to the, to a term and then maybe that confuses everybody, but an architect could be a construction manager. So, you could hire the architect, say for four percent to be the, to be the designer, you could also hire him subsequently as a construction manager and then what, what, what you could do, and I'm not suggesting that you do this, but what you could do is rather than having one general contractor, when you could break up the work and say numerous contractors, general contractors and so that you don't have one general who is responsible for, for the, for the whole, for the whole project, what you have is you have the construction manager who's dealing with independent contractor that, throughout, throughout the projects. That's being done in fact in some of the, in some of the school districts in the valley today. But I think, I think that you're correct, Commissioner.

COMM. ROSEL

So what you're saying is hire the particular firm the architectural firm and, and, to do the design and as well as the design, to do the construction, the construction management...

JESUS RAMIREZ

I'm saying that there's nothing that prohibits that, as, as far as I've, as far as I can tell.

COMM. ROSEL

Okay. But, where's the checks and balances, though? The checks and balances, I mean, now, he's doing the design and he's doing the, the management on the construction, there's got to be a checks and balances there...

JESUS RAMIREZ

That is, that is, that is the problem...

COMM. ARCAUTE

That's what I'm saying you know when you bid it...

JESUS RAMIREZ

.....you've got to, you've got to back out and have somebody in, in your staff...

- COMM. ROSEL** And that's why I'm saying if we go out there and you hire the architect and get him to do the design and this Commissioners' Court hires a monitor or a firm that does monitoring, then they can serve the same purposes that, that construction manager, because they're doing out there, they're going out there and they're our checks and balances.
- JESUS RAMIREZ** It just depends on how, how far you want to go, because I think that also, obviously -----
- PAUL VAZALDUA** Commissioners, Judge, on, under the construction management mode, what the construction manager would do is the construction manager would get contracted out first and the, the County would, would put out the RFQs for a construction manager and firm and then through contracting that, the, that, the responsibilities would go to the construction manager, they in turn would assist the County in selecting an architect to do the design of the construction...
- COMM. ROSEL** Oh, no...
- PAUL VAZALDUA** ...of, of...
- COMM. ROSEL** Paul, when we get into areas that we're not safe with we're not, we don't have experience in, I think the safest thing for this Commissioners' Court to do is to go to what will work, has worked in the past and, I'm, I'm, I think that the selection of the architect is the first thing that we need to do, this Commissioners' Court.
- COMM. GARCES** I think so, too.
- COMM. ROSEL** And, I think then from then on I think what we need to do is, is go...
- COMM. ARCAUTE** We're gonna have to do that whichever mode we go...
- COMM. ROSEL** Yeah, exactly.
- COMM. ARCAUTE** ...we have to realize that.
- COMM. ROSEL** ...well, I think that what we need to do is allow for the RFQs to come in for the architectural firm, but at this time, you know, if the Commission wants us to take a position then obviously the only one that I think this Commissioners' Court feels comfortable in, the comfort zone is obviously the conventional.

- COMM. ARCAUTE** Well, if you will recall I was the only one in this Court that supported the conventional method...
- COMM. ROSEL** Well...
- COMM. ARCAUTE** ...now, now I'm the only one that's saying conventional and this is the reason I asked this question before we started or the first thing that I asked was "what has traditionally saved this County more money?" and I think we agreed that the conventional is gonna cost us more and it's gonna take us longer...
- COMM. ROSEL** That's not what they said.
- COMM. ARCAUTE** ...so, that's...
- COMM. ROSEL** That's not what they said.
- COMM. ARCAUTE** Well, you said it last week, Commissioner.
- COMM. ROSEL** No, no, I didn't say that, I said construction management is going to cost you more money. I said that conventional which is not gonna cost you as much money, because you're not talking about having that particular construction management firm charging you a percentage, an architect is gonna just charge you a percentage...
- COMM. ARCAUTE** Well, forget about the charges, we're talking about how long it's gonna, how long it's gonna take. Would you agree that it'll take more with the conventional system.
- COMM. ROSEL** No, I won't.
- COMM. ARCAUTE** You won't agree.
- COMM. ROSEL** No, I wouldn't, no I wouldn't.
- COMM. ARCAUTE** Well, that contradictory to what you said last week.
- COMM. ROSEL** There's no way in the world, Commissioner, you're gonna tell me that just because you hire a construction manager that the architect's gonna be able to put that design out faster.

- COMM. ARCAUTE** Well, I'm not telling you, I'm just quoting you, you know, this is what you said last week.
- COMM. ROSEL** No, sir. I'm sorry. You've made some, some wrong assumptions here. First of all, I think that I stood with you...
- COMM. ARCAUTE** Well, now that you insist.
- COMM. ROSEL** ...I stood with you on that conventional type of, of design and I think that the vote at that time was three to two. Second of all, the cost, the more cost is, is involved in the construction management not on the conventional and, and I told Paul, I said don't come back over here next week and tell us that we're gonna put out product faster in a construction management than a conventional and you're not gonna be able to convince me of that. I think that when the architect gets through with the design whether he does it on a construction management or conventional, he's gonna finished with it. So, I think that that's the longest phase of the, of the, of the project in itself. Construction manag..., the construction is going to be a, a phase in which they're gonna take from day to day until they finish. They're not gonna speed it up just because it's under construction management. And you don't have to believe all those phone calls you get from certain people over there promoting that kind of stuff.
- COMM. ARCAUTE** Okay, do we have, ah, ready enough on the mode of construction?
- COMM. ROSEL** Yes.
- COMM. ARCAUTE** I move we table for next week.
- COMM. ROSEL** Well, I'm not gonna second that.
- COMM. ARCAUTE** Well, I didn't ask you to. Do we have a second on tabling or are we five ready to make a, a decision on the mode of construction.
- COMM. ROSEL** I am, I mean we've looked at design-build, obviously the design-build where we thought we could save tax dollars is not something that's feasible so I'm ready to take, make a move on it.
- COMM. ARCAUTE** I want to table it.

- JUDGE CUELLAR** Commissioner, I think what we ought to do at this time...
- COMM. ARCAUTE** I don't know, did, did, I'm, I'm tabling it until we make sure, you know. The bottom line here, I'm looking at the most economical to build a jail in this County and it's obvious that at least one of my colleagues does not agree with that, okay.
- PAUL VAZALDUA** As and as part of the record, by any means, I'm not an expert and in...
- COMM. ROSEL** Thank you.
- PAUL VAZALDUA** ...in, in jail designing, but I also do not take phone calls to give information to this Court. I do provide you all with a document that you all could prove for next week if this item were to be tabled.
- COMM. ROSEL** I think we do it now.
- COMM. ARCAUTE** Well, there's a motion on the floor...
- COMM. GARCES** We've got a time table that we submitted on that hearing last Thursday, Paul.
- PAUL VAZALDUA** It's in your packet, Commissioner, it's the first...
- COMM. GARCES** Yeah, where does that put us if we table do we have time to come back and, and make a decision on this? It's just that, ah, okay, going by months.
- COMM. ROSEL** Well, you just make up your mind as to whether you want to spend more money than you should. Does the motion die for a lack of second or not?
- COMM. ARCAUTE** I don't know, the Chair hasn't declared it.
- JUDGE CUELLAR** I can wait.
- COMM. ROSEL** I'm awaiting.
- COMM. HANDY** The tabling will be for what, for next week and then we'll be ready to vote next week for sure.
- COMM. GARCES** It, ah, let me second that motion to table...

- COMM. ROSEL** Get those phone calls. Get it over with, now that way you don't have no, any phone calls.
- COMM. GARCES** I call for the question.
- JUDGE CUELLAR** Under discussion...
- COMM. GARCES** Judge, we don't...
- COMM. ARCAUTE** Was there a second?
- JUDGE CUELLAR** Yes.
- COMM. GARCES** And the idea is to meet every Tuesday or the second Monday of the month, I think we need to meet a lot more frequently than we've been doing lately. Obviously because we're waiting for one week to go by and then come back and then table that, I think we should meet the rest of this week if we have to and then and then Monday and then, that's what's kind of pulling us away from just being focused on this issue. So, I say and I recommend to the Court make the posting of a hearing of sorts or workshop at least and continue this process until we find out...
- JUDGE CUELLAR** Commissioner...
- COMM. GARCES** ...get all the information that we need...
- JUDGE CUELLAR** That's what we have to keep in mind the time line that we have and I can assure you when it comes to selecting an architect, let him start working on the design then getting together with the Sheriff and, and getting a site, you know, we don't have all the time in the world and I can assure you they landed on us pretty good when they started and you were there...
- COMM. GARCES** Yeah.
- JUDGE CUELLAR** ...that we didn't have that much credibility. So, if there's something we've got to do we've got to put this thing on a time line and, and if it's gonna be postponed we ought to, we ought to declare what are the first four things we have to do. We have to number one, get an architect; number two, we need to get a site; number three, we've got to find out the method of financing; and number four, go back because they're the ones

that are gonna have to give us a permit to construct anything if we do.

COMM. ROSEL

Well, that's why, you know, I'm trying to do with this Commissioners' Court at this particular time, is come up here and say well let's go with this type of method just to get it over with and what we're doing, like Commissioner Arcaute said, we postpone it every time we come to it simply because we're afraid to take that little step forward. I think that this Commissioners' Court will be better off and I've taken the, the attitude today that we're going to take a concept "a", "b" or "c" and voted in and get it out of the way. And they'll see we mean business.

COMM. HANDY

Here's what I'd like to see for us to have, if we're gonna have a special meeting on this, just on this ----- issue and not with all these other things that we have every week. Cause every time that we come here on a regular meeting or, or a meeting of the week, we have all these other items that we have to look at and this is the last item on the agenda and if we do a meeting specifically for the jail...

COMM. GARCES

Sever it from the regular agenda for regular hearing.

COMM. HANDY

...for us, to go over all the material that we have to do.

COMM. ROSEL

That'd be, that'd be a good idea.

JUDGE CUELLAR

Motion made and motion second to table. There's no discussion. All those in favor signify by saying aye.

COMMISSIONERS

Aye.

JUDGE CUELLAR

Opposed. Ayes have it so ordered.

PAUL VAZALDUA

There is a bit of good news in your packets this morning.

COMM. GARCES

Thank you, Paul.

PAUL VAZALDUA

We received another estimate from Mr. Rudy Ramirez on a thirty-eight acre tract which is on the other side of the ditch of the, south of facility and the price that they have on that is...

COMM. ROSEL

No.

COMM. ARCAUTE That's not on the agenda.

JUDGE CUELLAR Let's not have a -----, we have a gentleman present that can also make an offer and we're gonna ask him to hold off.

PAUL VAZALDUA Okay. He's come...

COMM. ARCAUTE (Inaudible)

JUDGE CUELLAR It that fair?
COMM. ROSEL Yeah, this Commissioners' Court -----

COMM. GARCES But that's good that we have -----

PAUL VAZALDUA Well there's a, another thirty-eight acre tract and I believe Sheriff Escalon, do you have something else dropped off at this office.

STEVE CRAIN You do have the option to discuss this in closed session. I just want to point this out.

COMM. ROSEL At this time, right now.

STEVE CRAIN You're not posted now for it.

COMM. ROSEL Well, I think that...

JUDGE CUELLAR God bless, we've made a motion to table this issue.

COMM. GARCES Right.

COMM. ARCAUTE I've been fighting that for fourteen years.

PAUL VAZALDUA Okay.

COMM. ROSEL What your table, wait a minute, hold it, let me clarify the record. Was your table for all of the agenda involving the jail?

COMM. ARCAUTE Item "A", no mas...

COMM. GARCES Item "A".

COMM. ARCAUTE ...to table.

PAUL VAZALDUA Okay.

- COMM. ARCAUTE** We were on item "A".
- COMM. GARCES** On the method of construction, that's all it was.
- COMM. ROSEL** Okay. So,...
- COMM. ARCAUTE** That was, now we go to item "B".
- COMM. ROSEL** Are you wanting to table all of that number thirteen.
- COMM. ARCAUTE** No, just "A".
- COMM. GARCES** No.
COMM. ARCAUTE Watch my lips thirteen "A".
- COMM. ROSEL** Okay, so, so...
- COMM. ARCAUTE** Was a motion to table and a second and was voted to table and we're on item "B".
- COMM. ROSEL** Okay, Now, what do you want to do on this one, On item "B", I'm sorry.
- COMM. GARCES** Well yeah....
- JUDGE CUELLAR** Discussion and possible action on Hidalgo County Jail Project Financing.
- PAUL VAZALDUA** On this item I'd like to ask Mr. Chris Vela to come to the podium and discuss this.
- COMM. ARCAUTE** I move that we pay with tax dollars.
- CHRIS VELA** Members of the Court, ladies and gentlemen, I think we need to defer..., differentiate between cost of the project and the cost of financing, two separate items. The cost obviously you have a process and I think the Judge has very eloquently pointed out the four steps that you need to do. Once you have a estimated cost of the facility and not that we're not willing to work during the process with the architect that would be selected. Once we have a estimated cost of the project, we will come to the Court with an analysis as to what is the best method for the cost of the money that you're going to borrow; and not that it's not an ongoing process, because we're

constantly reviewing your finances in terms of your outstanding debt and how we can best accomplish the inclusion of additional debt at this time on an estimated basis and for our purposes and how we can achieve the lowest cost in terms of interest to the taxpayers of this County. Any questions?

COMM. ARCAUTE That's what I was saying on item "B". Discussion and possible action on Hidalgo County Jail Project Financing. If we were to take any action it would be how we're gonna pay it, you know. Private donations or taxes.

COMM. ROSEL We'll accept all donations.

COMM. ARCAUTE We, I will be in line, legal if, you know...

STEVE CRAIN I think Commissioner, you're right on the line.

CHRIS VELA And, and it's like I said, you know, the, the financial advisory service that we provide is an ongoing service, it's not an isolated on the financing ----- basis and we have analyzed your data and we know where you're at and we know what you need to do and obviously dependent on current market conditions. And we're prepared at the right time to come forward and make those recommendations and also meet with each one of you individually if that's what is needed with where we're at right now.

JUDGE CUELLAR How long do you think it'll take, Chris, to make this assessment?

CHRIS VELA Quite honestly I already have the assessment on hand, that I have done. I think it's very clear from our experience what the most cost effective method of financing is, there's no question about that and then the analysis of your debt, we have, like I said this is an ongoing thing and we've already done that. We're ready to go at a moment's notice when you all tell us that your ready.

COMM. ROSEL Chris, let me ask you a question on, on what we can do, general obligation bonds, that's the referendum right?

CHRIS VELA There's, there's two alternatives on, on general obligation bonds.

- COMM. ROSEL** All right.
- CHRIS VELA** Okay. Alternative number one, is a referendum as you say, you take the issue to the voters and they get to, to vote yea or nay on the issue...
- COMM. ROSEL** Right.
- CHRIS VELA** ...just like a school district, just like a city, just like anybody else; but just like cities, not necessarily school districts, but cities have the same authorization that counties have and that is the ability to issue certificates of obligation.
- COMM. ROSEL** Right.
- CHRIS VELA** Okay. When you issue certificates of obligation they are backed up by the full faith and credit of the community which is the taxing power of the county which in this particular case would be your nine billion plus, nine point eight billion dollars of assessed valuation that you have going into this calendar year. So, that's the difference and the certificates of obligation do not require an election and it's a tool that has been used by this County in the past, you know, to do some of their financing.
- COMM. ROSEL** So, my question would be, Chris, is there any difference between the rate of interest that we're going to have between the scenario of your referendum and your certificates of obligation.
- CHRIS VELA** There's a small margin between a general obligation in the market and a certificate of obligation. I think we provided that analysis, ah, way, way back, you know, to the County, we would be willing to revisit that issue. I don't want to state in terms of a specific margin, but there is a small margin between general obligation and a certificate.
- COMM. ROSEL** Okay.
- COMM. ARCAUTE** I guess the question is, which one is higher?
- CHRIS VELA** Yeah, ah, certificates.
- COMM. ARCAUTE** Certificates?
- CHRIS VELA** Yes sir.

JUDGE CUELLAR Any other questions?

COMM. ARCAUTE Is, the projections, Chris, were based on thirty million?

CHRIS VELA Yes sir.

COMM. ARCAUTE But if, Commissioners, if you will recall that, that thirty million figure that we used included four and a half million of other improvements that we were gonna do with the same issue. It's not all for the jail.

COMM. ROSEL Sheriff's administrative office...

COMM. GARCES ADA...

COMM. ARCAUTE No, no, no...

COMM. GARCES Capital improvements.

COMM. ROSEL Oh.

COMM. ARCAUTE Yeah, that was the other, the other...

COMM. GARCES One stop, the COPC...

CHRIS VELA Yes when we, when we did the last financing for this Court and for this County, we did disclose to the rating agencies that the approximate issue size for an upcoming authorization would be in the, in the vicinity of thirty million and those were based on the estimates that the staff at that time had provided to us.

COMM. GARCES Chris?

CHRIS VELA Yes sir.

COMM. GARCES Do you remember the amount that we earmarked for the jail facility itself?

CHRIS VELA Ah, it's, I seem to recall that it was somewhere in the twenty-four, twenty-five million dollar area.

COMM. GARCES ----- but we don't twenty-four million dollars to build the jail facility.

- COMM. ROSEL** Well, hopefully we don't need that. Hopefully we'll need...
- COMM. GARCES** It'd be half.
- COMM. ROSEL** ...half of that.
- CHRIS VELA** Those were the, the estimates that were provided but, you have the process, you know and, and obviously back to what I said the last time that I was here, you know needs, you've done those, update them if you need to update them. Build for the future, if you need to build for the future in that component, number one, translate it into a cost with an architect, get us a cost we update our numbers, we come to you and give you the impact of those numbers and how it's the best approach to get you the cost of money for the taxpayers of this district and how we can put it across to where it's credible, it's sensible and it's achievable.
- COMM. GARCES** But the risk involved, Chris, and maybe this is something that I'm on a relocating of the facility, from the present site over to maybe let's say for discussion purposes, the Doolittle site, all right. Would there be a change on the risk factor involved in the way you market the paper out there?
- CHRIS VELA** Ahm, I'm not quite sure that I understand the...
- COMM. GARCES** In other words there'll be no change in the type of marketing that we would encounter if we were to change from one location to another?
- CHRIS VELA** I keep, I can't perceive that...
- COMM. ARCAUTE** A bond is a bond.
- CHRIS VELA** ...or conceive that in any, in any way that it would affect the marketing, the marketing of, of, of your bonds would be dependent on your credit as far as Hidalgo County is concerned...
- COMM. GARCES** Our financial...
- CHRIS VELA** ...it historical growth...
- JUDGE CUELLAR** Ability to pay.

CHRIS VELA

...yes sir, your ability to pay, precisely, Judge. The growth in assessed valuation, your, your fund balances, your tax rate, your existing debt, which is marginal at this point in time and the rate of retirement, social economic conditions within the County, social economic make-up within the County, all of these factors enter into it.

JUDGE CUELLAR

I think we have an answer, he says he'll give us the answer when we get where we need to be.

COMM. ROSEL

One more question, what's the rate of indebtedness at, does this County have at this present time.

COMM. ARCAUTE

You don't know...

COMM. ROSEL

I don't know if you have this information ----- what was that?

COMM. ARCAUTE

A little over a penny.

COMM. ROSEL

A little over a penny and, and I think that was in comparison to...

COMM. ARCAUTE

That other, per hundred dollar valuation.

COMM. ROSEL

I think the last time we looked at it, out of the comparison to other counties we were very, very low.

COMM. ARCAUTE

We should be, we-----.

COMM. GARCES

(Inaudible)

COMM. ARCAUTE

Economically depressed from what we should be. That's my fear, you know, this is why I have to be very cautious. If you will recall at the last workshop I asked the question and I'm gonna ask it again, we as Commissioners' Court, would we be willing to or at least consider saying "okay we got 'x' number of dollars, you jail builders out there come and build us a twelve hundred bed jail with a....

COMM. GARCES

Give us a proposal.

COMM. ARCAUTE

...space for the future, that's all we got.

- COMM. ROSEL** Well, you, you can't it, because, you can't do it because he's telling us, what you're asking is that, to, seeking is a design-build concept and you just can't do it. You can't pursue it.
- COMM. ARCAUTE** Well, design-build operator.
- COMM. ROSEL** Sir?
- COMM. ARCAUTE** Design-build operate it.
- COMM. ROSEL** No, no, but I mean the Sheriff just told us a few minutes ago he's not willing to release the operation.
- COMM. ARCAUTE** What if somebody comes in here and operates it for less than what we can operate it.
- COMM. ROSEL** Well, no, now look I would, I would support that if that particular firm would sign a long term lease with no increases whatsoever but you know they're not going to do that.
- COMM. ARCAUTE** No, of course not.
- JUDGE CUELLAR** We better check what's going on with...
- COMM. GARCES** Other, in other places, yeah.
- JUDGE CUELLAR** ...with those other places, Commissioner, the Commission up there was a little embarrassed at what's going on and I don't, I for one would never agree to that. I, I intend and my position, this is my position, to go along with that we work with the Sheriff on this thing and that he must approve of what we're gonna do.
- COMM. GARCES** I, I wish there was vehicle, gentleman, lady, where we can tell this counsel here to go out and, and provide for us that vehicle to say here is the amount that we want to invest of taxpayer money. This is the amount, now Atlas and Hall go out, find us that document, find us that vehicle...
- COMM. ROSEL** (INAUDIBLE)
- COMM. GARCES** ...ah, ----- to say here's a blank check public sector, come back and see what you're gonna charge us now and we'll be willing to agree whatever you bring in. I mean, that's...

- JUDGE CUELLAR** What little I learned in the legislature, Commissioner is when you go private, when you get away from professionals like, like the Sheriff, they're gonna save money, but you're not. Plus, you never sell the liability, that belongs to the citizens of this county and I am not going to put that on their back.
- COMM. GARCES** No, that's not what I was referring to, not so much the private sector in operating the facility but the construction of that jail.
- COMM. ROSEL** Now, I'll call your attention to the, a Brazoria County incident. The Brazoria County, was isn't...
- JUDGE CUELLAR** Brazoria County's right.
- COMM. ROSEL** Well, Brazoria County, I mean the inmates did not only sue the company, the corporation that was taking care of them...
- COMM. GARCES** Yeah.
- COMM. ROSEL** ...but they sued the county.
- JUDGE CUELLAR** And I can assure you the county's gonna be the one that's gonna pay the bill.
- COMM. GARCES** Yeah.
- COMM. ROSEL** So, I don't want to hold all the liability and let some guy put in big bucks in his pocket, I mean that's not, not fun.
- JUDGE CUELLAR** You can see our counsel's shaking his head. He's not saying yes, we'll pay, he's saying no we don't want to.
- STEVE CRAIN** Correct.
- COMM. ARCAUTE** Well, then, see, that depends on how you, you know, you, you construct your contracts. We're caught here just about every Tuesday or every meeting, you know, when we miss a little deal here...
- COMM. ROSEL** True.
- COMM. ARCAUTE** ...they didn't put this in the proposal, we missed this over here, same thing happens with contracts. Attorneys are only human, right, Steve?

- COMM. ROSEL** Are you sure about that?
- COMM. GARCES** The last time I checked they were.
- STEVE CRAIN** Thank you for the compliment.
- COMM. ARCAUTE** That's why I reached over, I want to make sure you...
- COMM. ROSEL** Vona, cut him and see if he bleeds.
- COMM. ARCAUTE** Okay, so if, if...
- COMM. GARCES** Item "B".
- COMM. ARCAUTE** Well, I don't want to ----- on the mode of construction, but if you give, and this relates back to the cost. How much are we gonna spend? Okay, so this is one of the things we may keep in mind. Like the Commissioner for Precinct Four said earlier and I agree with him, I think this is the agreement we reached was that these items referring to jail construction will appear at every agenda from here on end. Whether we take action or not, they will be on the agenda.
- JUDGE CUELLAR** I think we're gonna have to and we're gonna have to consider what the Commissioner has said, we may have to go to more than Tuesdays...
- COMM. ROSEL** That's fine, I don't have a problem with that, I'll...
- COMM. GARCES** I think the earliest day is Friday...
- COMM. ARCAUTE** It may take us a month, you know to select...
- COMM. ROSEL** Make it eight o'clock in the morning.
- COMM. ARCAUTE** It may take us a month. It may take us six weeks.
- COMM. ROSEL** Mira, the other thing that we need to bring to our attention is, I think that Commissioner Arcaute has made a point that we just don't know how much money we're talking about yet and he's exactly right.
- COMM. GARCES** Right.

COMM. ROSEL And we're not gonna find out by just, we're not gonna be able to put a bunch of little papers in here and draw a little paper out of here and say well we're gonna spent twelve million today. I mean, there has to be, all of these things have to be derived from, what we need...

JUDGE CUELLAR I think we can get started with something that's further on the agenda...

PAUL VAZALDUA That takes us to item "D", Commissioner.

JUDGE CUELLAR Ah, let's go to, can we go to "C" now?

COMM. ROSEL Let's go.

JUDGE CUELLAR Discussion and possible action on submittal to the City of Edinburg an application of a special use permit.

COMM. ROSEL So move.

PAUL VAZALDUA I recommend, we table that item until we select the site.

COMM. ROSEL ----- my motion, what?

PAUL VAZALDUA I recommend that we table that item until we select a site.

JUDGE CUELLAR I, I agree with that.

COMM. ARCAUTE We just.....

JUDGE CUELLAR Commissioner, we need to select the site.

COMM. ROSEL Well, yes I agree, pero, some sites that we're talking about are within the city limits of, of Edinburg, so I think that we need to...

COMM. ARCAUTE No, no, no.

COMM. GARCES No.

COMM. ARCAUTE No, no, no.

PAUL VAZALDUA This...

COMM. ARCAUTE Explain to us last week at the workshop that the only special use permit we needed if we went this route.

COMM. GARCES Well...

PAUL VAZALDUA No...

COMM. GARCES The problem, Commissioner...
PAUL VAZALDUA At any, any property within the city...

COMM. ARCAUTE The K-Mart building.

COMM. ROSEL Within the city limits of Mission.

PAUL VAZALDUA Any property within the city limits of Edinburg.

COMM. GARCES Commissioner Arcaute, the, the issue is if it's within the city limits, you have to go and ask for a special use permit. So, now the, the Doolittle site is in the City of Edinburg. We need a special use permit on that. The present, the existing one, we need a special permit for that and I don't know how it falls in the, it's, expanding on there or not, but we're still gonna have to...

COMM. ARCAUTE But we can't take action on that yet...

COMM. GARCES Right, so I move to take

COMM. ARCAUTE (Inaudible)

COMM. GARCES Move to table 13/C, Judge.

COMM. ARCAUTE The one that's not on the agenda, which is the site selection.

JUDGE CUELLAR Is there a second?

COMM. ARCAUTE I thought we'd picked the site several years ago and that's why we bought the land.

COMM. ROSEL I think we ought to try out for ----- on that burned circus, you know, I think we'd be good at high wire.

JUDGE CUELLAR Is there a second to table?

COMM. ROSEL I mean we'd be professional, we could have do it closed eyes, backwards, somersaults and all that stuff.

COMM. ARCAUTE Move to table item "c".

JUDGE CUELLAR There's a motion, is there a second?

COMM. GARCES I've already, I second the motion, Judge.

JUDGE CUELLAR Motion made and motion second to table. Is there a question on the motion?

COMM. ARCAUTE We're just continuing...
JUDGE CUELLAR There's no question on the motion. All those in favor signify by saying aye.

COMM. GARCES Aye.

JUDGE CUELLAR Aye.

COMM. ARCAUTE Aye.

COMM. ROSEL I vote against it.

JUDGE CUELLAR Ayes have it and so ordered.

COMM. ROSEL I vote against it.

PAUL VAZALDUA Item "D", item "D", Commissioners, is for approval of the, of the request for qualifications. There's a set of the RFQ in your packet.

COMM. ROSEL Yeah, we did that last week, right?

PAUL VAZALDUA Right, you made, you authorized to advertise but I wanted to make sure that the Commissioners' Court reviewed the qualifications prior to us submitting them in the, in the, in the newspaper.

COMM. ROSEL Request for qualifications.

PAUL VAZALDUA The qualifications...

- COMM. ROSEL** Must have at least ten years experience in construction of jails built under the direction of the Texas Commission of Jail Standards.
- COMM. GARCES** Rosel, I was going to ask you a question and this is in the area of loading up your résumé. Just because you participate in maybe one of the subs, now you're consider that particular location on of your arsenal of sites, can we tighten up, that up and...
- PAUL VAZALDUA** Yeah, in, in, in the second page, Commission, eight, under experience, A/2, speaks to that.
- COMM. ROSEL** Demonstrates, specializes, specialize design, expertise and experiences with the -----
- COMM. GARCES** Oh, okay.
- COMM. ROSEL** Should we say, should we say that...
- COMM. GARCES** Actual lead firm or something like that.
- PAUL VAZALDUA** Okay.
- COMM. ROSEL** That architectural firm would be the leading firm...
- COMM. GARCES** To lead.
- COMM. ROSEL** ...on a lease, on a -----
- COMM. GARCES** What language can we use there.
- PAUL VAZALDUA** We could put like in...
- COMM. GARCES** You know what I'm getting at, right?
- PAUL VAZALDUA** A/4 demonstrates that the...
- COMM. ARCAUTE** Not for the Texas Commission on Jail Standards. For the Commission? Or approved by the Commission.
- COMM. GARCES** (Inaudible)
- COMM. ROSEL** Ah, Steve?

STEVE CRAIN

One of the things I would caution is, is yes have your specifications tight, but don't have them too tight, because remember, just, whoever, whoever responds to these you are then going to evaluate their responses and you're gonna rank them in descending order based on their response of who you think is best. Then you're gonna go and negotiate with your top one as to rate. If you can't get a rate that you're happy with, at that negotiation, you're gonna go to number two and negotiate a rate. So, you're the one's who are gonna be ranking these proposals and how well you think these architects are doing based on their responses. So, you may have an architect that just moved into Texas three years ago, but built jails all over the east coast and he's built two projects in Texas over the last three years and they've been outstanding; but if you put in your, in your qualifications that they have to have built jails in Texas for ten years and be the lead architect you may automatically except that architect from any consideration under your proposal.

COMM. ROSEL

So you've reviewed these very carefully, Steve?

STEVE CRAIN

I haven't, I haven't seen them and they're not in my packet.

COMM. ROSEL
STEVE CRAIN

You didn't see these?
No sir.

COMM. ROSEL

No, no.

PAUL VAZALDUA

Why aren't they in your packet?

STEVE CRAIN

I don't know.

COMM. ROSEL

No, well, I make a motion to table this one, 'cause I think that we need to review them with special counsel and legal counsel.

PAUL VAZALDUA

That's why I brought a set of, of, of qualifications for you all's review.

COMM. ROSEL

Paul, when this project is so vital that that particular person or, or firm, the legal counsel be issued to make sure that you get a set of documents to those people so they can review those papers so they can come back and they can tell us we have completely reviewed these documents and we find them proper. I mean, it is absolutely necessary...

JUDGE CUELLAR Is there a second?

COMM. ROSEL I'm not gonna wind up with egg on my face on this project.

PAUL VAZALDUA I finished these this morning.

COMM. ARCAUTE So move and second.

JUDGE CUELLAR Motion made and motion seconded to table. All those in favor signify by saying aye.

COMMISSIONERS Aye.

JUDGE CUELLAR Opposed.

COMM. ROSEL The last item.

COMM. GARCES Paul, I know that you're, you're quite busy because you have a lot of things to do, but I think a simple phone call to some of us and maybe, Steve in this issue would kind of expedite this process, 'cause I think that we're missing out on a lot days. You know, tabling it and tabling it and...

PAUL VAZALDUA We can put this back on the agenda for this week if we meet a later date.

COMM. ROSEL If you want to, you can fax me that stuff, I can look at it, I can make sure he gets it, you can get it done, that way everyone of us should have all that information.

COMM. HANDY We could meet Friday.

COMM. GARCES Yeah, we need to, as soon as maybe Friday, I think. Legally we can meet Friday, is that what it is? Yeah.

MANUEL CAVAZOS Are we gonna recommend that we hold a meeting next, official meeting next Tuesday ----- that...

COMM. ARCAUTE I wouldn't mind taking action. I would have taken action last week...

PAUL VAZALDUA There's a meeting Monday of next week.

COMM. ARCAUTE ...that's why I raise...

- MANUEL CAVAZOS** ...meeting Tuesday. On the jail -----, jail only.
- COMM. ARCAUTE** Right, and that's the reason I raised those questions, you know, when we talk about the old site, we talk about land adjacent to it, we talk about this, we talk about that, and I asked the question do we have any figures that will compare, remodeling, using the old facility as compared to a whole new construction wherever it is and I get zero answers. Who's doing that, who's supposed to do that. You see there's still a lot of questions, you know, that we need to have answered before we make any decision. This is why I keep tabling this.
- COMM. ROSEL** Paul, you were given a, an assessment by Vitteta last week...
- COMM. ARCAUTE** Yeah, how much will it cost, you see, we don't know that.
- PAUL VAZALDUA** Yeah.
- COMM. ROSEL** ...you need to give that, ah, ----- to him and he'd like to look at it...
- COMM. GARCES** And it gets back to the type of jail that you would want.
- COMM. ARCAUTE** Huh.
- COMM. GARCES** The type of jail, in other words...
- COMM. ARCAUTE** What do you mean the type of jail. See this is what I'm saying, you know, how many types of jails are out there. They all have cells, they lock and they put a person behind it...
- COMM. GARCES** And again it gets back...
- COMM. ARCAUTE** ...----- about that, you know.
- COMM. GARCES** There is...
- COMM. ROSEL** Is the Sheriff still here.
- COMM. GARCES** I was going to ask him...
- COMM. ROSEL** ----- approach the bench, approach us please, 'cause I have a question for you in regards to...

COMM. ARCAUTE ----- gonna watch us here, Sheriff.

JUDGE CUELLAR Let me say that we're the...

COMM. ARCAUTE (INAUDIBLE)

JUDGE CUELLAR ...before we build this jail, the Commission's gonna have to give their approval that we can construct...

COMM. ROSEL Oh yes and I'm sure...

MANUEL CAVAZOS May I recommend that you...

SHERIFF ESCALON Well, that was the first thing that I said that, the same thing, but I don't have the money in the budget, Commissioner, to do that. I think that there should be a study to look at what we've got, first off. And then from that point...

COMM. ROSEL You're saying, you're telling this Commissioners' Court that you're not satisfied with the Vitteta assessment? You're not satisfied with the, Commis..., well the Jail Commission all they gave you is number of beds, right?

SHERIFF ESCALON That's all they gave us, right.

COMM. ROSEL Okay, so you're not, you have, have you had an opportunity to look at the first assessment that was done, which was by Vitteta?

SHERIFF ESCALON No, I haven't. I haven't seen that one.

COMM. ROSEL
COMM. ARCAUTE Paul, would you get a copy to the Sheriff.
I haven't even seen it.

COMM. ROSEL Okay, we paid...

PAUL VAZALDUA It was done in 1995, Commissioner.

COMM. ARCAUTE Was that...

SHERIFF ESCALON The numbers are not the same apparently.

COMM. ARCAUTE Not that one that told us...

COMM. ROSEL I'm sorry.

COMM. ARCAUTE ...everything we already knew?

COMM. ROSEL Sir?

COMM. ARCAUTE I guess that's why we put it away.

COMM. GARCES Sheriff, so all jail, all detention ----- in the State of Texas are the same?

COMM. ARCAUTE ----- really.

SHERIFF ESCALON No, they're not.

COMM. ARCAUTE I'm serious, you know.

COMM. GARCES Dile por favor.

COMM. ARCAUTE It is funny, you know, but that's exactly what it is.

SHERIFF ESCALON No, they're not, in fact when this jail was built apparently the Jail Commission wasn't even in, in effect. So, there are a lot things with the way this jail was designed to begin with and...

COMM. ARCAUTE -----they didn't have all those, you know, federal mandates that now they have ----- this and that and all of this.

JUDGE CUELLAR Any other questions?

SHERIFF ESCALON But I think that...

COMM. GARCES And there is one model...

COMM. ARCAUTE ...realize that.

COMM. GARCES ...Sheriff, and let me, let me ask you this question. There is one model out there to build all jails in the State of Texas, right?

SHERIFF ESCALON No there isn't.

COMM. GARCES Okay. That's what I'm trying to get across and can you explain to us please what, how diverse it can be. How that could reflect back in the efficient number for us.

- COMM. ROSEL** Talking by indirect and direct.....
- COMM. GARCES** All that, so, yeah, that's what we need to establish.
- SHERIFF ESCALON** There are many ways to, I mean, numerous ways to build jails, there's plenty of architects out there that'll build jails however they like it and they'll probably like to put their names on it, but this is not what we, what we're asking for. All I need is bed space and when I suggested the K-Mart building that was simple because of the concept of Greenbay, where they took an old warehouse and they just built bird cages basically in there. It's the same think that I had suggested that we look into and I had talked to a, a person who builds jails at one time and gave me an estimate back then for about close to a thousand beds for the total of fourteen and a half million dollars and of course, starting from the ground up I keep hearing all these numerous amounts for different types of jails and from different types of folks that are, that will build these jails; but there is no such thing as one to look at and say this is the jail we want. This is why I think the same way, as the Commissioner just mentioned, is that we need to look at, at, at what we've got at this point also...
- COMM. GARCES** The cost.
- SHERIFF ESCALON** ...and see the cost factor, what it would take. I know that the infrastructure, Commissioner, was built for two hundred people there. We're housing over seven hundred at times. The kitchen the, the utility rooms, the laundry rooms, they're old. I mean, they're all crumped up, we just can't function with the amount of people we have there.
- COMM. ARCAUTE** Who could make this evaluation as...
- SHERIFF ESCALON** Well, that's a good question. Again, you know, but this is something that I believe falls in your court not mine.
- COMM. ARCAUTE** Well, I know very little about jails...
- SHERIFF ESCALON** And so do I. So do I, Commissioner.
COMM. ARCAUTE That's why I'm asking, who would be able to make an evaluation like this. I know I can't, I think that's been established.
- COMM. ROSEL** Well, I think...

- COMM. GARCES** The perfect vehicle was that Jail Committee, that you all belong to, that's a good part of it.
- COMM. ARCAUTE** Well, we're talking about our jail and I think this is the gentleman that, you know...
- COMM. ROSEL** Well...
- COMM. ARCAUTE** ...knows more about our jail than anybody else who comes in here.
- JUDGE CUELLAR** And, and now...
- COMM. ARCAUTE** I don't care from where he is, from where he comes from or where he comes from. That's why I'm saying, Sheriff, who, who does, who can go into your building and say this is no good it'll cost you so much to fix.
- SHERIFF ESCALON** I believe the same person or...
- COMM. ARCAUTE** ----- cost so much.
- SHERIFF ESCALON** I think you're gonna have to select somebody...
- COMM. ROSEL** Yeah.
- SHERIFF ESCALON** ...to look at what we've got.
- COMM. ROSEL** First I would suggest, very strongly, Sheriff, that you would look at the assessment that was already done by this County in which we spent somewhere in the area of seventy-five to a hundred thousand dollars to do...
- SHERIFF ESCALON** Well, we would have to, we would have to look at that study...
- COMM. ROSEL** Yeah.
- SHERIFF ESCALON** ...I have not seen it.
- COMM. ROSEL** First look at that one, if that doesn't satisfy you come to this Commissioners' Court and I'll be more willing to listen to some, some suggestions from you to take that step forward that we need to take. Now, I think that the other thing is that we're talking trying to work with the present site, because you had

told this Commissioners' Court that you wanted a facility that would be built adjacent to the old, the present site so that you could use approximately four hundred beds of the old site along with, in conjunction with the new site.

SHERIFF ESCALON Exactly.

COMM. ROSEL Okay.

SHERIFF ESCALON We do have four hundred beds that are still usable in this old jail, we would have to get rid of the temporary buildings that are on the back or utilize them for other, for other projects rather than housing prisoners, but, ah, there are four hundred beds that are, that meet jail standards.

COMM. ROSEL And that's why I think this Commissioners' Court is trying to work with that...

COMM. GARCES Right.

COMM. ROSEL ...otherwise we'd be off somewhere else. ----- you had not requested that.

JUDGE CUELLAR Except, I think we have to look at the growing mold and we can't settle this thing till the next two years, Commissioner.

COMM. GARCES Ahm, Judge, if I might, let me address that last sentence or that page nine of the study from the Commission. Eleven twenty-one and it puts us through year what, two thousand and six. Two thousand and six, ah, and if you're dealing with usable four hundred beds you're looking at, let's, let's give it eight hundred beds, all right, that's another thing that we need to look at as far as the overall costs of the project. Along with a method and the Jail Standards that you're gonna go by, Sheriff, I've always said it, if we relocate, we're gonna have to take the Sheriff's law enforcement area also with us. It'd behoove us to do so, no Sheriff?

SHERIFF ESCALON Well, of course, I would like to be housed where the jail is at, but if, if it's not possible and if we, if we would have to move from the, from area that we're in the administrative offices are, are still good in our building, our existing building. The, there, there may be some roof leaks here and there, but they're fixable. That's why I contend with the fact of staying in the same area, somewhere where we could still operate from

where we're at. We don't need an administrative building for the administration of the Sheriff's department, we do need the space and of course moving the jail staff to the jail would give us that sufficient space for the administrative part.

JUDGE CUELLAR On a perfect scenario, you would move the Courthouse closer to the jail.

SHERIFF ESCALON I'm sorry I didn't...

JUDGE CUELLAR On a perfect scenario, you would move the Court, the, the County Courthouse closer to the jail.

SHERIFF ESCALON Well, I believe that thought has come about too.

COMM. ARCAUTE Well, the offer from San Juan still stands, you know. The Courthouse, jail, the whole works.

JUDGE CUELLAR ----- listen to that, he didn't say Weslaco.

COMM. ROSEL I think....

COMM. ARCAUTE San Juan.

COMM. ROSEL I think that what we need to do is continue the pursuit of the eleven hundred beds with, in conjunction with four hundred beds from the old site, we're talking about approximately fifteen hundred beds that would address the issue for the next, hopefully ten, fifteen years, unless the judges over there decide that they're gonna put more pressure on the jail.

JUDGE CUELLAR Twenty years is what we're looking at.

COMM. ARCAUTE I just, I just want to let the Sheriff, I brought up that question at the last workshop, of course you weren't here and I made the statement of, you know, that if it was that important for the Sheriff's Department to be housed in the same area as the jail was and you always hear about all these rules of thumb, you know...

SHERIFF ESCALON Not, necessarily, Commissioner, the only thing is that this jail does have four hundred beds. Again, I'll go back to that, it does have four hundred beds that can be used.

- COMM. ARCAUTE** And the, ah, I think it was the Commissioner from Precinct Four's concern was that it had to be close because they have to go pick up prisoners, interrogate them and take them back. Well, my answer is, build an interrogation room at the jail.
- SHERIFF ESCALON** Well, most, most of them will have it and I'm sure we would have interview rooms for any jail, wherever you build it, but again my contention is, is that this, there is some usable space in the current jail and that was one of the reasons that I would rather have it where it's at.
- COMM. ARCAUTE** Okay. May I request that we be put on the agenda for next week for this Commissioners' Court to either request or go out for services for somebody to do an assessment and evaluation as to the cost of how we're gonna utilize this prison site as compared to...
- COMM. GARCES** Cost approach on on-site prison site...
- COMM. ARCAUTE** ...as opposed to...
- COMM. GARCES** ...or relocating.
- COMM. ROSEL** Well, and I think it'd be a good idea to have it on the agenda and I think you give the Sheriff a week and his staff to review the assessment that they presently have and he can tell us whether he'll be able to work with that one or not. If not we come back on the RFQ for...
- JUDGE CUELLAR** You want it on Tuesday's agenda or on the jail agenda?
- COMM. ROSEL** Yeah, let's, let's have a jail agenda...
- JUDGE CUELLAR** You're talking about a jail agenda.
- MANUEL CAVAZOS** What day will the jail agenda be, Judge.
- COMM. ARCAUTE** Well, Sheriff are we gonna go find that person to do that or...
- JUDGE CUELLAR** (INAUDIBLE)
- COMM. ARCAUTE** ...or do you think...
- JUDGE CUELLAR** I don't know.

SHERIFF ESCALON No, I can look at what we've got, but again, you know I think we need somebody in the expertise of, of building jails to tell us.

COMM. ARCAUTE I just wanted you to turn us loose on this.

COMM. ROSEL Well, I think that what you have to remember is that this Commissioners' Court is the one who's going to be looking at dispensing the taxpayers dollars and I think that we need to review...

COMM. ARCAUTE Ahhhhhhhh.

COMM. ROSEL ...and give everybody...

COMM. ARCAUTE You remembered..

COMM. ROSEL ...an opportunity and give everyone an opportunity to turn in an RFQ so that we could review this.

COMM. ARCAUTE Se acordo.

COMM. HANDY Let's have a meeting on Monday on the jail.

JUDGE CUELLAR That's all Sheriff, we agree to, let's let this gentleman address it before we adjourn the Court.

SHERIFF ESCALON Thank you.

COMM. ROSEL Thank you.

COMM. GARCES Thank you, Sheriff.

MANUEL CAVAZOS May I recommend, Judge that you set an executive session in the jail agenda for discussion of purchase or real estate...

COMM. ROSEL Yes.

MANUEL CAVAZOS ...and allowing the people interested in...

JUDGE CUELLAR Listen to that carefully.

MANUEL CAVAZOS ...making an offer to come in and ----- make an offer if that is legally permissible.

JUDGE CUELLAR

Set up an executive session to get that property.

JOHN ROGERS

Judge...

JUDGE CUELLAR

State your name for the record.

JOHN ROGERS

...Commissioners, John Rogers, my name is John Rogers and I came here for the sole purpose of the taxpayers view, but from, from all the rhetoric that have, that has gone on here between the Commissioners' Court and all the people and I'll take everybody in consideration, none of you have brought a plan, none of them was prepared and we have never addressed the problem. We had a problem with the jail for years, we have a Sheriff that has been asking for more help, he's gone now, we have some other dignitaries that represent us statewide, but nobody has brought a plan. We came here to solve the problem, but nobody came prepared to solve the problem. We have a gentleman over here I guess that, that, that was his, his due and it didn't come about. You talk about money for this type of construction and that type of construction but we don't have a plan. Nobody has submitted any figures, nobody has submitted anything at all, the type of construction and I'm pretty sure that there's plenty of people out there that we can go to that are professionals in this and if the State doesn't keep changing, the requisites that they make for us, we can come up with a plan. What you need to do is go to as many constructions that have been made for these facilities, send somebody in there that has some semblance of intelligence so they can bring back all the information that you gentleman need and lady, I'm sorry, so that you can make an intelligent decision. You guys can bicker here all you want to and nobody can present anything for you guys to make an intelligent decision on; and we've been going through this for years because we table and we table because we don't have any thing to make a decision on. The other thing is the next step you should do is, we gotta, we gotta attack the core of the problem, because it is up to you guys and the Sheriff to make waves because you're the only ones in a position to be heard at the State level to where you can say "you're imposing to many things on us" and if this is gonna be imposed on County and not on State why are we doing this. Why do you require more of the County and require more of the County taxpayers because that's what it boils down to. You guys always talk about grants, that's all I've listened today; grants, grants, grants, grants. If we, if we really break down the word grant,

all it means is taxpayers money. Whether it's city, whether it's school, whether it's county, whether it's state, whether it's federal, you guys throw grants around like they're coming out of style, like you guys can just dig up money and it's a grant. It's not a grant, it's taxpayers money and you guys are responsible for that; and you guys gotta put it to use, that's why we elected you guys, all of you. We elected you and we worked hard to put the best people in the business; to guide us as diligently as you can. We haven't received that today. We have a person here that says real quickly, WIC Program, she comes in here and she wants a grant for so much money and we don't even check anybody that comes and takes all our stuff. Who is taking all our money? I don't know, you guys can't tell me, she can't tell you, but she wants more money. She wants it funded another year. We are never gonna go down. Our taxes are never gonna go down, we need tax relief but we need protection from the criminal that has been on our grounds. And we gotta house them, but we don't have to cuddle them. Why can't we take the State to test and say why do we have to cuddle our prisoners and you don't cuddle the State prisoners. How come we can't house them with a minimum that we have to. We don't have to give them basketball courts and weight rooms and television sets and three square meals a day. Some of us out here working don't have that luxury and we did not commit a crime. We taxpayers pay because we were the ones that were offended. We got our child run over or we got our home broken into or we have graffiti that we have to contend with and then we catch the guy and we have to go to due process before we can commit him to the jail. That's another whack off the taxpayer's money. We got to pay the judges, we got to pay the sheriff, we got to pay the cop on the corner and we got to pay everybody else. Then we cuddle the guy in prison, where is it gonna end, guys? You are the people that are responsible to make waves at the State level and the Federal level. John Rogers calls a news conference, how many people are gonna come, but if Renato Cuellar y Sylvia Handy, Lalo Arcaute, Juan Rosel and you, Mr. Garces call a news conference, you will be heard. You are the guys that are responsible to take our needs into contention to protect our money and to protect us and bickering ain't gonna get it and having incompetent people come in here and give you nothing to make an intelligent decision on, you're picking the wrong people and I don't care who gets offended because I am offended by the way that it is. You and the Sheriff are the ones that are the appropriate ones to make this difference.

You are the guys to be heard. We hear, we hear here about bonds and certificates of obligation, what he failed to tell you and we're watching this one, the school bond and none of which Ms. Handy should be aware of, because we went through this. We went with certificates of obligation and we had to pay like one and a half almost two percent more on a debt that was eight million dollars. We ended up with almost a sixteen million debt because we went with certificates of obligation, right. And if it had been a voter approved, we would have got one and half to two percent lower rates and which meant over a million dollars in rates. If we're talking about a thirty million dollar, you know, one percent, one and a half percent means a lot. Have Mr. Chris Vela explain that to you, because we have to address those problems. We don't need an addition to the obligation that the State of Texas imposes on us. Where is it going to stop? I don't know because it's all taxpayers money and the other thing that I hate to tell you gentlemen...

JUDGE CUELLAR

John, I hate to cut you short but we're going to have and we're meeting some constraints that you're not aware of...

JOHN ROGERS

And I know that...

JUDGE CUELLAR

...and I know you...

JOHN ROGERS

...Judge.

JUDGE CUELLAR

...and I'll be glad to meet with you. Right now we're working on sixty days. This problem wasn't created today, I understand...

JOHN ROGERS

I know that one.

JUDGE CUELLAR

...and I know it, but I can assure you we're working to try to answer this and I'll be glad to tell Roberto how much he's got to be a little more responsible when these laws are passed, but Washington talks to him, like Austin talks us.

JOHN ROGERS

I know, Judge.

JUDGE CUELLAR

I appreciate your coming today, I'm just gonna ask you why don't you close up in a couple of minutes, if you will.

JOHN ROGERS

Well, the only thing I'm summizing (sic) is that it's up to you guys. Each and everyone of you and to bring some intelligent,

you know, information so you guys can make an intelligent decision on. There's a lot of people out there that are capable of doing that, we just haven't gone out there and reached for them. We haven't asked for their expertise and have a couple of guys. The other thing that I really want to put to you is that the Mexicans have a saying that it says "musica apagada hace mal son". If you say we have a project that's gonna take thirty million, it's gonna cost you thirty million, gentlemen, believe it or not and it's gonna cost you more. But if you have a project that says we need "x" amount of beds and we need no frills no nothing, we need something to house prisoners in and you through it at them you say, "okay, now scramble and give me the best price that you can" and that's what you make decisions on. You don't tell a guy, "I got thirty million dollars, you want to spend it, you can spend it anyway you want to" and you can't do that. You got to tell the guy, I need this and I want it done for the less money that you can do it. Thank you, gentlemen. I'm sorry that I took some time.

COMM. GARCES

Point well taken.

COMM. ARCAUTE

Thank you, John.

COMM. ROSEL

I certainly, ah, I understand his position about the competent staff...

**PAUL VAZALDUA
JUDGE CUELLAR**

Thank you, Commissioner. That's all.
Anything else to come before the Commissioners' Court.

MANUEL CAVAZOS

May I make one recommendation, Judge?

JUDGE CUELLAR

Yes sir.

MANUEL CAVAZOS

The meeting Monday, that it be changed to Friday.

JUDGE CUELLAR

This, this Friday.

MANUEL CAVAZOS

Yes.

JUDGE CUELLAR

They're both bad for me, I'm scheduled to go see the doctor, not because I'm sick, I want to make sure I don't get sick.

MANUEL CAVAZOS

The reason for Friday would be that it's too much for, for Friday you can always schedule another meeting for Monday morning.

JUDGE CUELLAR It's up to the Commissioners.

COMM. ARCAUTE What are we meeting about?

MANUEL CAVAZOS On the jail ----- the regular meeting is Tuesday, but we're talking about the jail issue only, on, on...

JUDGE CUELLAR That's all, that's a special meeting.

COMM. ARCAUTE Oh, you want to put it separate.

MANUEL CAVAZOS Yes sir.

JUDGE CUELLAR You made the suggestion not to meet on the same day we're meeting.

COMM. ARCAUTE He did.

COMM. ROSEL I agree with him.

COMM. GARCES Friday, Monday?

COMM. ARCAUTE I don't mind, we'll be here all day, that's what I get paid for.

JUDGE CUELLAR Can we have a motion to adjourn Commissioners' Court.

COMM. GARCES Move to adjourn, Judge.

COMM. HANDY Second.

JUDGE CUELLAR Motion made and seconded to adjourn, all those in favor signify by saying aye.

COMMISSIONERS Aye.

JUDGE CUELLAR Opposed. Ayes have it and so ordered.

There being no further business to come before the Court, a motion was made by Commissioner Garces and seconded by Commissioner Handy 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. DRAINAGE DISTRICT #1

- A. Pct. #1
 - 1. North Alamo Water Supply
 - 2. Southwestern Bell Telephone Co.
- B. Pct. #3
 - 1. Southwestern Bell Telephone Co.

(See Exhibit R)

The County Judge indicated that no action would be required on any of the items on the Consent Agenda being that they were placed on the wrong agenda.

NO ACTION.

REGULAR AGENDA

ITEM 1. DRAINAGE DISTRICT #1

- A. Consideration to set fee for partial release of easement
- B. Authorization to execute partial release of easement

1/A

Vona Walker, Right of Way Director, informed the Board that they had a drain ditch that was situated in the City of Mission that is located between Los Ebanos and Inspiration Road that starts at Business 83, goes south, crosses the expressway and goes on south. She continued by saying that they had a developer who put the section of the ditch between Business 83 and the expressway, which is approximately six hundred feet under ground and he would like for the Drainage District to release sixty feet of their hundred foot easement, keep forty feet where the pipe is in consideration of him putting it underground at no cost to the District. She did add that this was a very difficult section to maintain because it consisted of having to start at Business 83 and then walk the machine across the expressway and across the frontage road or tear it down and load it up and truck around. Mrs. Walker felt that because of this it was worth not having the easement. After further discussion, a motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to release part of the easement as indicated.

MOTION CARRIED.

(See Exhibit S)

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

MOTION CARRIED.