

**COUNTY OF HIDALGO COMMISSIONERS' COURT**

**BE IT REMEMBERED that on the 25<sup>th</sup> of  
November,  
1997 after notice duly having been given, a Special Meeting of  
the  
Commissioners' Court and Drainage District #1 was begun  
and  
holden in the Commissioners' Courtroom, in the County  
Administration Building, in the City of Edinburg, County of  
Hidalgo,  
State of Texas, with the following being members of said  
Court:**

**HONORABLE RENATO CUELLAR  
COUNTY JUDGE**

**HONORABLE SYLVIA HANDY  
COUNTY COMMISSIONER, PRECINCT 1**

**HONORABLE ABELARDO, "LALO" ARCAUTE  
COUNTY COMMISSIONER, PRECINCT 2**

**HONORABLE JUAN ROSEL  
COUNTY COMMISSIONER, PRECINCT 3**

**HONORABLE GUADALUPE "LUPE" GARCES**

## **COUNTY COMMISSIONER, PRECINCT 4**

**and where the following proceedings were had to-wit:**

### **DRAINAGE DISTRICT #1**

The Honorable Abelardo "Lalo" Arcaute, County Commissioner, called the Drainage District #1 Board meeting whereupon the following proceedings were had, to-wit:

#### **ITEM 1. DRAINAGE DISTRICT #1**

- A. Budget Amendment in the amount of \$2,500 - To meet advertising Costs
- B. Budget Amendment in the amount of \$259,676.00 for Mile 12  $\frac{3}{4}$  Levee Structure and Barbosa-Lopez Project
- C. Authorization for Judge to execute IBWC License for Structure at Mile 12  $\frac{3}{4}$  North

1/A

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize a budget amendment in the amount of \$2,500.00.

MOTION CARRIED.  
(See Exhibit A)

1/B

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve a budget amendment in the amount of \$259,676.00 for the Mile 12  $\frac{3}{4}$  Levee Structure and Barbosa-Lopez Project.

MOTION CARRIED.

(See Exhibit A)

1/C

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the County Commissioner Abelardo "Lalo" Arcaute to execute and IBWC License for the structure at Mile 12  $\frac{3}{4}$  North, in the absence of the County Judge.

MOTION CARRIED.

(See Exhibit A)

**ITEM 2. PURCHASING DEPARTMENT FOR DRAINAGE DISTRICT #1**

- A. Requesting authority to advertise for Rental of Uniforms
- B. Recommending award of bid on "Crushed Caliche - El Sauz Project"
- C. Recommending award of bid on "Hauling Services - Crushed Caliche - El Sauz Project"
- D. Recommending award of bid on "Proposed Drainage Improvements Flood Control - Structure at 12  $\frac{3}{4}$  North" to low bidder
- E. Recommending award of bid for "Proposed Drainage Improvements Barbosa/Lopez" to sole bidder

2/A

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the advertising for bids for rental of uniforms for Drainage District #1.

MOTION CARRIED.

(See Exhibit B)

2/B

Martha Salazar, County Purchasing Director, informed the Board that she had received three bids for "Crushed Caliche - El Sauz Project". She was recommending that the bid be awarded to Valley Caliche at a price of \$2.15 per ton. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.  
(See Exhibit B)

2/C

Mrs. Salazar stated that she had received four bids for "Hauling Services - Crushed Caliche - El Sauz Project". She was recommending that the bid be awarded to M.C. Hauling Services, due to the availability of vehicles. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.  
(See Exhibit B)

2/D

Mrs. Salazar reported that she had received five bids for "Proposed Drainage Improvements Flood Control - Structure at 12 <sup>3</sup>/<sub>4</sub> North". She was recommending that the bid be awarded to the low bidder being Summit Contracting Company at a bid price of \$170,000.00. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve.

MOTION CARRIED.  
(See Exhibit B)

2/E

She was also stated that she had received one bid for "Proposed Drainage Improvements Barbosa/Lopez". She was recommending that the bid be awarded to the sole bidder being Summit Contracting Company at \$70,440.00. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve.

MOTION CARRIED.  
(See Exhibit B)

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

MOTION CARRIED.

## **COMMISSIONERS' COURT**

The Honorable Abelardo "Lalo" Arcaute, County Commissioner for Precinct Two, 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. County Judge - Road & Bridge Paved Road - \$54.00
- B. County Judge - Insect Eradication - \$200.00
- C. Commissioner Pct. 3 - Paved/Unpaved - \$8,500.00
- D. Commissioner Pct. 3 - Landfill - \$860.00
- E. J.P. Pct. 1 Pl. 1 - \$64.00 & \$35.00
- F. Constable Pct. 3 - \$120.00
- G. County Court at Law #3 - \$90.00
- H. County Court at Law #4 - \$230.00
- I. 332<sup>nd</sup> District Court - \$1,000.00
- J. Adult Probation - General Fund - \$4,300.00
- K. Buildings & Grounds - \$1,200.00
- L. District Attorney - General Fund - \$628.94
- M. District Attorney - Investigation Fund -\$2,000.00
- N. WIC Program - \$10,500.00
- O. Warrant Office Division - \$700.00
- P. Historical Commission - \$264.56
- Q. Elections Department - \$600.00
- R. Juvenile Probation Department - Juvenile Detention - \$2,600.00
- S. Juvenile Probation Department - Juvenile Probation -\$1,441.00
- T. Sheriff's Office - Jail - \$8,000.00
- U. Library System - \$1,370.00
- V. Health Department - Immunization -\$1,925.00

- W. Health Department - Sanitation - \$856.00
- X. Health Department - Clinics - \$1,452.00
- Y. Health Department - Administration - \$5,294.00
- Z. Purchasing Department - \$2,100.00

(See Exhibit C)

**ITEM 3. PLANNING DEPARTMENT**

A. Subdivisions

- 1. Boulder Park West Subdivision - Pct. 2
- 2. Paseo De La Flores Subdivision Phase I - Pct. 2
- 3. South Crossing Subdivision - Pct. 2

B. Release of Letter of Credit

- 1. Prairie View Heights S/D Phase III - Pct. 3
- 2. Pueblo Del Sol Subdivision - Pct. 1

(See Exhibit D)

**ITEM 4. RIGHT OR WAY DEPARTMENT**

A. Pct. 1 - North Alamo Water Supply

B. Pct. 4 - North Alamo Water Supply

- Southwestern Bell Telephone

(See Exhibit E)

**ITEM 5. URBAN COUNTY PROGRAM**

A. HOME/Homeowner Occupied Housing Rehab Application - 2 families

(See Exhibit F)

**ITEM 6. COUNTY CLERK**

A. Monthly Fee Report for the Month of October, 1997 - \$102, 700.10

(See Exhibit G)

**ITEM 7. COUNTY AUDITOR**

A. Monthly Collection Reports

1. J.P. Charlie Espinoza	\$22,576.00	August
1997		
2. J.P. Rene O. Torrez	\$ 6,613.00	August 1997
3. Sheriff Enrique Escalon	\$20,442.50	September 1997
4. Anzalduas Park	\$ 5,356.00	September 1997
5. Law Library	\$ 509.00	September 1997
6. Constable Aguirre	\$ 65.00	September 1997

7. Constable Alaniz	\$ 645.00	September 1997
8. Constable Peña	\$ 150.00	September 1997
9. Constable Cerda	\$ 365.00	September 1997
10. Constable Bazan	\$ 80.00	September 1997
11. J.P. Arnaldo Corpus	\$ 6,755.00	September 1997
12. J.P. Jesus Morales	\$11,081.25	September 1997
13. J.P. Speedy Jackson	\$12,105.45	September 1997
14. J.P. Rosa Treviño	\$20,017.98	September 1997
15. J.P. Gilberto Saenz	\$10,746.65	September 1997
16. J.P. Dario L. Martinez	\$12,731.20	September 1997
17. J.P. Ismael Ochoa	\$27,261.23	September 1997

(See Exhibit H)

**ADD. 1 J.P. PCT. 2 PL. 2**

A. Line Item Transfer - \$500.00

(See Exhibit I)

**ADD. 2. BUILDINGS & GROUNDS - GENERAL GOVERNMENT BUILDINGS**

A. Line Item Transfer - \$28,000.00

(See Exhibit J)

Commissioner Arcaute introduced the Consent Agenda with the Addendums and asked if there were any questions and/or comments. There being none, a motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve.

MOTION CARRIED.

**REGULAR AGENDA**

**ITEM 1. PLANNING DEPARTMENT**

A. Preliminary Plat Approval

1. Iowa Estates Subdivision - Pct. 4

B. Final Plat Approval with Letter of Credit

1. Tom Gill Subdivision No. 3 Phase I - Pct. 3

C. Internal Line Item Transfer

1/A

Emilio Garcia, Chief Planner, came before the Court requesting preliminary plat approval of Iowa Estates Subdivision. This is in Precinct Four located on the northwest corner of Valverde Road and Iowa Road. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve, subject to the completion of the waterline extension to the subdivision.

MOTION CARRIED.

(See Exhibit K)

1/B

The next request was for final plat approval with letter of credit for Tom Gill Subdivision No. 3 Phase I. This subdivision is in Precinct Three located one and one half mile north of Expressway 83, on the east side of Tom Gill Road. The Planning Department recommends final approval with a letter of credit subject to the street signs, traffic control devices and testing of the streets; final letter from the water corporation or city and that no permits will be issued until all improvements are completed, including the existing county road on the north side of the subdivision along Lots 301-319. The Road shall have six inches of compacted caliche base. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.

(See Exhibit K)

1/C

A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve a line item transfer in the amount of \$1,475.00 from the Workmen's Compensation line item to the Office Equipment line item.

MOTION CARRIED.

(See Exhibit K)

**ITEM 2. RIGHT OF WAY DEPARTMENT****A. Authorization for Judge to Execute Loan Agreements with IBC Bank**

Vona Walker, Right of Way Director, came before the Court requesting authorization for the County Judge to execute a loan agreement with IBC Bank for the financing of motorgraders that are being purchased by Precinct One. She was requesting that if the County Judge was not available that authorization also be given to Commissioner Arcaute for the execution of the loan agreement. A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.  
(See Exhibit L)

**ITEM 3. SHERIFF'S OFFICE**

- A. Authorization and approval of Internal Cooperative Agreement for the Hidalgo County Sheriff's Department to participate in the Public Corruption Task Force**
- B. Budget Amendment in the amount of \$8,189.25 (Sheriff's Acct.) and appropriate the same - monies from the net proceeds of the auction of vehicles held on August 30, 1997**
- C. Budget Amendment in the amount of \$18,146.62 (Investigation Fund 104) and appropriate the same - monies received from the net proceeds on the sale of seized vehicles**

3/A

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve an internal cooperative agreement for the Hidalgo County Sheriff's Department to participate in the Public Corruption Task Force.

MOTION CARRIED.  
(See Exhibit M)

3/B

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize a budget amendment in the amount of \$8,189.25 for the Sheriff's Department and the appropriation of same.

MOTION CARRIED.  
(See Exhibit M)

3/C

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize a budget amendment in the amount of \$18,146.62, into the Sheriff's Investigation Fund 104 and the appropriation of same.

MOTION CARRIED.  
(See Exhibit M)

#### **ITEM 4. COMPUTER DEPARTMENT**

- A. Budget Amendment in the amount of \$45,749.65 and Appropriate the same into Acct. #7-010-415-400-12 - monies received from TAC for equipment damage

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to authorize and appropriate a budget amendment in the amount of \$45,749.65, as presented.

MOTION CARRIED.  
(See Exhibit N)

#### **ITEM 5. JUVENILE PROBATION**

- A. Budget Amendment in the amount of \$23,387.44 to appropriate state reimbursement funds TJPC-E-97 (Title IV-E)

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize a budget amendment in the amount of \$23,387.44 in order to appropriate State reimbursement funds for TJPC-E-97 (Title IV-E).

MOTION CARRIED.  
(See Exhibit O)

**ITEM 6. VETERANS SERVICE**

- A. Appointment of Ignacia R. Castillo as Hidalgo County Assistant Veterans Service Officer effective December 2, 1997

A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the appointment of Ignacia R. Castillo as Hidalgo County Assistant Veterans Service Officer effective December 2, 1997.

MOTION CARRIED.  
(See Exhibit P)

**ITEM 7. HUMAN SERVICES**

- A. Budget amendment in the amount of \$33,333.36 - Transfer of funds from one account to another of UTMB Contract payment - Indigent Fund
- B. Budget amendment in the amount of \$57,000.00 - to appropriate and budget additional money to pay for professional services processing of Indigent Health Care Claims - General Fund

7/A

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize a transfer of funds in the amount of \$33,333.36 from one account to another account.

MOTION CARRIED.  
(See Exhibit Q)

7/B

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize a budget amendment in the amount of \$57,000.00 to pay for the processing of indigent health care claims.

MOTION CARRIED.

(See Exhibit Q)

**ITEM 8. DISTRICT ATTORNEY**

- A. Line Item Transfer
- B. Budget Amendment in the amount of \$60,000.00 (Autopsies Account)

8/A

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a line item transfer in the amount of \$56.31 for the District Attorney's Office.

MOTION CARRIED.

(See Exhibit R)

8/B

A motion was made by Commissioner Handy and seconded by Commissioner Garces to authorize a budget amendment in the amount of \$60,000.00 into the Autopsies Account.

MOTION CARRIED.

(See Exhibit R)

**ITEM 9. OFFICE OF EMPLOYMENT AND TRAINING**

- A. Approval of the creation of two positions for Job Developers at pay group grade 12
- B. Approval of the funding appropriations for two new Job Developers positions
- C. Approval of the amending of organizational chart to include the two new Job Developers positions
- D. Approval of the PY '96 Governor's Report

9/A

A motion was made by Commissioner Handy and seconded by Commissioner Garces to authorize the creation of two Job Developer positions for the Office of Employment and Training at a group grade 12 salary.

MOTION CARRIED.  
(See Exhibit S)

9/B

A motion was made by Commissioner Handy and seconded by Commissioner Rosel to authorizing the appropriation of funding for the two new Job Developer positions for the Office of Employment and Training.

MOTION CARRIED.  
(See Exhibit S)

9/C

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the amending of the organizational chart for the Office of Employment and Training to include the two new Job Developers positions.

MOTION CARRIED.  
(See Exhibit S)

9/D

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the PY '96 Governor's Report.

MOTION CARRIED.  
(See Exhibit S)

**ITEM 10. CONSTABLE PCT. #4 - RUMALDO CERDA**

- A. Approval of salary increases for Deputy Constables, set salaries at \$24,669.75 and amend budgets
- B. Approval to create additional deputy constable positions, set salaries at \$24,669.75 and amend the budgets

10/A

Deputy Constable Ricardo Peña came before the Court requesting approval of salary increases for the deputy constables and to set their salaries at \$24,669.75 and amend the budget. Commissioner

Garces pointed out that they had received a memo from the Auditor's Office in which he was recommending "no action on these items because the amendments presented in the agenda package are not reconciled with the amount of salary being set. The total amendment required is \$43,532.01 instead of the \$34,148.42. This actual requirement is \$9,383.59 higher than the presented one in this agenda." Valde Guerra informed the Court that Gilbert Garza, from the Auditor's Office, was saying that the \$24,669.75 that they want to set the rate at does not come up to the budget amendment and that's true. They are wanting to set it at \$24,669.00 but the budget amendment reflects \$23,495.00, which is a current Sheriff Deputy salary and that was why that budget amendment shows what it shows. Valde Guerra explained that they had worked out the numbers and he had talked to Mr. Garza yesterday and asked that he look over the numbers and yesterday he did not have a problem with them, but he did say that he hadn't had a chance to really look at those numbers. Commissioner Garces indicated that the issue at hand was that the deputy constables wanted to get paid the equivalent of a deputy Sheriff and they had to compare the duties of each in order to make a decision. Deputy Peña indicated that they have a different opinion of what the deputy constables are and State Law backs them up, in saying that they are peace officers. Commissioner Rosel stated that he would like to discuss the possibility of creating another position for deputy constable first before trying to increase any salaries, especially in Precinct Three. Commissioner Handy asked if the salary increases being requested were for 1997 or 1998 and the response was that they were for 1998, but they would like to do it for 1997 as well. All the Commissioners concurred that the need for the additional deputy was more important than the salary increase. The discussion then turned to the civil process duties done by the deputy constables and the request was for two deputy constables for each constable. After continued discussion, Commissioner Garces asked the Constables what was their main priority, either the elevating of salaries or a new position. The Constable replied that they would rather have the additional position, but Deputy Peña did state that his Precinct would need two deputy constable positions. Commissioner Handy made a motion to give each of the Constables one additional deputy constable and to set the salary for 1998 at \$24,669.75. Commissioner Rosel stated that he would like to separate both of those issues and he would also like to hear what the Constable from Precinct Five had to say. Commissioner Handy indicated that she had spoken to Constable Bazan and he was not requesting an additional deputy constable position, at this time.

Commissioner Rosel then asked that the motion be separated, one for the creation and one for the salaries. Commissioner Arcaute then announced that there would be no action on item 10/A and Commissioner Garces agreed, because once they set the position then they would have to set that salary and that would follow for the other deputy constables. Deputy Peña and Commissioner Rosel also added that they would have to look at the different precincts because each had different needs. Commissioner Rosel asked legal counsel what he thought of this and Steve Crain, the County Legal Counsel, said that they had to look at this procedurally and he read from the Texas Local Government Code Section 96.011 and indicated that it was a different procedure than the Commissioners' Court was used to in setting salary slots. He then read the procedure that was supposed to be followed and a lengthy discussion ensued with regards to the procedure as read and if there was any way around it. Commissioner Rosel then addressed the Constables and indicated that they would need to bring it back at a later date. Commissioner Arcaute did point out the totals of the fund balance as presented by the Auditor's Office. After further discussion, no action was taken on this item at this time.

NO ACTION.

(See Exhibit T)

10/B

As per the County Auditor, no action was required on this item at this time.

NO ACTION.

(See Exhibit T)

#### **ITEM 11. WIC**

A. Approval for 1 year renewal on existing lease for La Joya rental space

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a one year renewal on the lease for rental space for the WIC Department in the City of La Joya.

MOTION CARRIED.

(See Exhibit U)

**ITEM 12. COUNTY JUDGES OFFICE**

- A. Approval to pay accrued annual leave
- B. Budget Amendment in the amount of \$2,885.00

12/A

Steve Crain, the County legal counsel, informed the Commissioners that this type of issue had been considered about two years back. It had to do with County policy with regards to employees either resigning or taking a leave of absence to run for elected office. After a brief discussion, a motion was made by Commissioner Garces and seconded by Commissioner Rosel to **table** this item at this time.

MOTION CARRIED.  
(See Exhibit V)

12/B

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize a budget amendment in the amount of \$2,885.00 for the Crippled Children Hospital.

MOTION CARRIED.  
(See Exhibit V)

**ITEM 13. J.P. PCT. #2 PL. 2**

- A. Budget Amendment in the amount of \$500.00

A motion was made by Commissioner Handy and seconded by Commissioner Garces to authorize a budget amendment in the amount of \$500.00 for the Justice of the Peace in Precinct Two Place Two.

MOTION CARRIED.  
(See Exhibit W)

**ITEM 14. COMMISSIONER PCT. #3:**

- A. Authorization to request USDA to vacate premises at 400 W. 13<sup>th</sup>, Mission, Texas (Pct. 3 office) by December 1, 1997

- B. Authorization to purchase an additional mobile phone for Pct. #3 Park Coordinator
- C. Budget Amendment for Penitas Landfill
- D. Authorize Auditors Office to pay Rust Environment & Infrastructure Inc., in the amount of #21,505.94 and issue a check today for same

14/A

Commissioner Rosel informed the Court that this was a request to have the USDA vacate the premises at 400 W. 13<sup>th</sup> Street, in Mission. He added that this was within his Precinct warehouse and he was needing the space in order to try to house the Justices of the Peace in his Precinct. He reported that he had received a letter from Steve Crain, the County legal counsel and he was wanting to address it. Mr. Crain indicated that the County had an agreement with the USDA and that agreement refers to another agreement that the County has not been able to locate. After some discussion, Mr. Crain recommended that no action be taken on this item until this matter can be clarified.

NO ACTION.  
(See Exhibit X)

14/B

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the purchase of a mobile phone for the Precinct Three Park Coordinator.

MOTION CARRIED.  
(See Exhibit X)

14/C

After a brief discussion regarding this expense in which Commissioner Arcaute indicated his opposition of funding the landfill from the General Fund, a motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize a budget amendment in the amount of \$142,955.00 to cover expenses for the new cell for the Penitas landfill in Precinct Three.

MOTION CARRIED. (Commissioner Arcaute voted against)  
(See Exhibit X)

14/D

After a brief discussion regarding this expense, a motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the County Auditor to pay Rust Environment & Infrastructure, Inc., a bill in the amount of \$21,505.94.

MOTION CARRIED.  
(See Exhibit X)

### **ITEM 15. HEALTH DEPARTMENT**

- A. Authorization and approval of line item transfer of \$9,493.00 from salaries and fringe benefits to operating line items (7-010-441-710 Mobile Clinic)
- B. Authorization and approval of line item transfer of \$13,630.00 from salaries to operating line item (renovation 7-010-441-100 - Administration)

15/A

J.M. Keenan, County Health Director, came before the Court requesting approval of a line item transfer in the amount of \$9,493.00 from the Salaries and Fringe Benefits line items to the Operating line items for the Mobile Clinic. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented. Laura Etnire, Chief Administrative Assistant to the County Judge, informed the Court that it was against County policy to transfer funds out of the fringe benefit line item. After a brief discussion, the motion and the second were withdrawn and no action was taken on this item at this time.

NO ACTION.  
(See Exhibit Y)

15/B

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize a line item transfer in the amount of \$13,630.00 from the Salary line item into the Operating line item for the Health Department Administration budget.

MOTION CARRIED.  
(See Exhibit Y)

**ITEM 16. AUDITOR'S OFFICE**

- A. Budget Amendment in the amount of \$1,500 from General Fund to Capital Projects Fund and appropriate same for the option on new jail land

A motion was made by Commissioner Garces and seconded by Commissioners Rosel and Handy to authorize a budget amendment in the amount of \$1,500.00 from the General Fund to the Capital Projects Fund and appropriate the same for the option on the new jail land.

MOTION CARRIED.

(See Exhibit Z)

**ITEM 17. URBAN COUNTY PROGRAM :**

- A. City of Donna - PFI Parks, Recreational Facilities Years 9 & 10 (1996-97) Low Bid Award - Heggen Electric Co., Inc.
- B. City of Edcouch - Approval of Change Order #1 with Delta Caliche PFI Solid Waste Landfill, FY 1996
- C. City of Elsa - Approval of a Personal Service (Consultant) Agreement with Reyna & Associates for an Economic Development Technical Assistance Activity FY 1995
- D. City of Mercedes - Approval of Subrecipient Agreement with Boys and Girls Club of Mercedes - Year 10 (1997)
- E. City of San Juan - Approval to amend San Juan Water Treatment Plan Improvements Construction Contract entered on July 24, 1997 with Fitzgerald Contracting Inc. to include the County of Hidalgo
- F. City of San Juan - Approval of Subrecipient Agreement with Amigos Del Valle, Inc. Year 10 (1997)
- G. Pct. #1 - Approval of Subrecipient Agreement with Boys & Girls Club of Edcouch-Elsa Year 10 - 1997
- H. Pct. #4 - Approval of Subrecipient Agreement with Edinburg Youth Soccer Club Year 9 - 1996
- I. City of Penitas - HOME Housing Rehabilitation Program - Construction Contract Award

## 17/A

The City of Donna was requesting the awarding of low bid to Heggen Electric Company, Inc. for PFI Parks, Recreational Facilities, in the amount of \$97,444.00. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve.

MOTION CARRIED.  
(See Exhibit AA)

## 17/B

The City of Edcouch was requesting approval of change order number one with Delta Caliche. The change order was for an extension of twenty-eight days. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve.

MOTION CARRIED.  
(See Exhibit AA)

## 17/C

The City of Elsa was requesting approval of a personal service agreement with Reyna & Associates for an Economic Development Technical Assistance Activity under FY 1995. The amount of the contract is \$21,000.00. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve.

MOTION CARRIED.  
(See Exhibit AA)

## 17/D

The City of Mercedes is requesting approval of a subrecipient agreement with the Boys and Girls Club of Mercedes in the amount of \$11,000.00. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve.

MOTION CARRIED.  
(See Exhibit AA)

## 17/E

The City of San Juan is requesting approval to amend the San Juan Water Treatment Plan improvements contract with Fitzgerald

Contracting, Inc., to include the County of Hidalgo who will contribute \$485,000.00 to this project. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve.

MOTION CARRIED.  
(See Exhibit AA)

17/F

The City of San Juan is requesting approval of a subrecipient agreement with Amigos Del Valle, Inc. in the amount of \$10,000.00. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve.

MOTION CARRIED.  
(See Exhibit AA)

17/G

Precinct One is requesting approval of a subrecipient agreement with the Boys & Girls Club of Edcouch-Elsa in the amount of \$5,000.00. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve.

MOTION CARRIED.  
(See Exhibit AA)

17/H

Precinct Four is requesting approval of a subrecipient agreement with the Edinburg Youth Soccer Club in the amount of \$5,000.00. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve.

MOTION CARRIED.  
(See Exhibit AA)

17/I

The City of Penitas is requesting the awarding of a construction contract under the HOME Housing Rehabilitation Program to De Leon Construction for bid option number one in the amount of \$120,800.00 for eight dwellings. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve.

MOTION CARRIED.  
(See Exhibit AA)

**ITEM 18. PURCHASING DEPARTMENT**

A. Hidalgo County

1. Requesting extension of present contract with BFI for 60 days so as to not have a lapse in service and allow the bid process to be completed
2. Recommending award of bid on Drinking and or Spring Bottled Water Service
3. Request approval of contract on Drinking and or Spring Bottled Water Service

B. Hidalgo County Pct. 1, 2, 3 and Buildings & Grounds

1. Requesting authority to advertise for Rental of Uniforms

C. Hidalgo County Pct. #1 and #3

1. Discussion and possible action of the waiving of any of the County's requirements for park and pavilion security services

D. Hidalgo County Pct. 3

1. Requesting authority to advertise for "Approximately 59,500 square yards of 60 mil HDPE (High Density Polyethylene) line material and the installation of same for Cell J at Pct 3's landfill in Penitas"

E. Hidalgo County Pct. 4

1. Requesting authority to advertise for Hauling of all Caliche
2. Approval of contract with Mission Paving Company for Lateral Roads Project

F. Health Department

1. Requesting exemption from competitive bidding requirements for Professional Services/pharmacists Services
2. Request approval of contract for pharmacists services with Mr. David Castro

G. Sheriff's Department

1. Recommending award of bid on Digital Telephone System to low bidder

2. Requesting authority to purchase fourteen (14) New 1998 Ford Expeditions police packaged utility vehicles through the State of Texas Cooperative Purchase Programs of the GSC

#### H. WIC Program

1. Recommending rejection of sole bid for "Breast Feeding Supplies"
2. Requesting authority to re-advertise for "Breast Feeding Supplies"

#### 18/A/1

A motion was made by Commissioner Handy and seconded by Commissioner Garces to authorize an extension of the present contract with BFI for a period of sixty (60) days so as not to have a lapse in service and to allow the bid process to be completed.

MOTION CARRIED.  
(See Exhibit BB)

#### 18/A/2

Martha Salazar, County Purchasing Director, informed the Court that she had received three bids for "Drinking and/or Spring Bottled Water Service". She was recommending that the bid be awarded to Valley Bottle Water Company. She did have a concern as to the number of vehicles in the fleet and how this might affect the delivery of water. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the low bid as presented.

MOTION CARRIED.  
(See Exhibit BB)

#### 18/A/3

A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve a contract between Hidalgo County and Valley Bottle Water Company for a period of three years.

MOTION CARRIED.  
(See Exhibit BB)

#### 18/B

A motion was made by Commissioner Handy and seconded by Commissioner Garces to authorize the advertising for bids for the rental of uniforms for Hidalgo County Precincts One, Two, Three and Buildings and Grounds.

MOTION CARRIED.

(See Exhibit BB)

18/C

Martha Salazar, County Purchasing Director, informed the Court that she had gone out several times for bids for security services for the park and pavilion at Precincts One and Three. She stated that they had a contract in place but due to a contract dispute on a partnership this contract was terminated. Mrs. Salazar continued by saying that they have not been able to find anyone who qualifies under the County's requirements and she handed out a copy of the specifications to the Commissioners' Court. She indicated that she has not been able to find anyone to provide this service and therefore bidding it out would not be feasible. Her recommendation was to possibly modify the specifications in order to acquire some bids. After some discussion, no action was required on this item at this time.

NO ACTION.

(See Exhibit BB)

18/D

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the advertising for bids for "Approximately 59,500 square yards of 60 mil HDPE (High Density Polyethylene) liner material and the installation of same for Cell J at Pct 3's landfill in Penitas".

MOTION CARRIED.

(See Exhibit BB)

18/E/1

A motion was made by Commissioner Garces and seconded by Commissioner Handy to authorize the advertising for bids for the Hauling of Caliche for Precinct Four.

MOTION CARRIED.

(See Exhibit BB)

18/E/2

A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve a contract with Mission Paving Company for a Lateral Roads Project for Precinct Four.

MOTION CARRIED.

(See Exhibit BB)

18/F/1

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to authorize the exemption from competitive bidding requirements under professional services/pharmacist services for David Castro, for the Hidalgo County Health Department

MOTION CARRIED.

(See Exhibit BB)

18/F/2

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve a contract for pharmacist services for the Hidalgo County Health Department with David Castro.

MOTION CARRIED.

(See Exhibit BB)

18/G/1

A motion was made by Commissioner Handy and seconded by Commissioner Rosel to award the bid for "Digital Telephone System" for the Sheriff's Department to the low bidder being Contract Services Company, out of Edinburg at a bid price of \$67,733.62.

MOTION CARRIED.

(See Exhibit BB)

18/G/2

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the purchase of fourteen (14) New 1998 Ford Expeditions police packaged utility vehicles through the State of

Texas Cooperative Purchasing Program of the General Services Commission. The vendor is Philpott Ford out of Port Natchez, Texas at a price of \$25,569.00 each for thirteen vehicles and one vehicle at \$28,402.00. Total price of purchase with delivery and other costs is \$364,722.39.

MOTION CARRIED.  
(See Exhibit BB)

18/H/1

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the rejection of the sole bid for "Breast Feeding Supplies" for the Hidalgo County WIC Program, due to a high bid.  
MOTION CARRIED.

(See Exhibit BB)

18/H/2

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the re-advertising for bids for the purchase of "Breast Feeding Supplies" for the Hidalgo County WIC Program.

MOTION CARRIED.  
(See Exhibit BB)

**ADD. 1. DISCUSSION AND APPROVAL TO DESIGNATE APPOINTEE  
TO  
EVALUATE RFQ - ARCHITECT SERVICES - ADULT  
DETENTION FACILITY**

Martha Salazar, the County Purchasing Court, informed the Court they have received the statements of qualifications on the RFQ for the architect services for the proposed adult detention facility. She added that they had not received direction from the Court as to who would be reviewing the submittals and this was the issue at hand. Commissioner Garces proposed that Commissioner Arcaute sit on this Committee, since he has been on the Commission longer and has been involved in this project since it was first proposed. Commissioner Arcaute did not feel that

he should be in the committee since he would be one of the members to award the contract. After some discussion it was recommended by Manuel Cavazos, the County Auditor that the evaluation committee be composed of Martha Salazar, one County Commissioner, himself or someone from the County Auditor's Office, and one citizen from the private sector. Commissioner Arcaute indicated that they should not rush on this project and Commissioner Rosel added that a workshop would be feasible in order to discuss this matter at length before their next meeting with the Commission on Jail Standards. After further discussion, it was recommended that a workshop be set for December 1, 1997 at 9:00 AM to discuss this issue. No action was taken on this item at this time.

NO ACTION.

(See Exhibit CC)

A discussion then began with some concerns by Commissioner Rosel on action that was taken the previous week on the issue of design/build versus the conventional method of building the Jail. This included the proposed cost and the number of beds that would be needed.

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

MOTION CARRIED.

**There being no further business to come before  
said**

**Court, the meetings of Commissioners' Court and Drainage  
District**

**#1 were hereby adjourned.**

**RENATO CUELLAR \_\_\_\_\_ ABSENT \_\_\_\_\_  
COUNTY JUDGE**

**SYLVIA HANDY \_\_\_\_\_  
COUNTY COMMISSIONER, PRECINCT 1**

**HONORABLE ABELARDO, "LALO" ARCAUTE**

**COUNTY COMMISSIONER, PRECINCT 2**

**JUAN ROSEL \_\_\_\_\_**  
**COUNTY COMMISSIONER, PRECINCT 3**

**GUADALUPE "LUPE" GARCES \_\_\_\_\_**  
**COUNTY COMMISSIONER, PRECINCT 4**

**Dated this 24<sup>th</sup> day September, 1999.**

**JUAN D. SALINAS, III, COUNTY CLERK**  
**Hidalgo County, Texas**

**By: \_\_\_\_\_**  
**Jennifer Castillo, Deputy**

**Minutes approved by Commissioners' Court and Drainage**  
**District #1 on the \_\_\_\_\_ day of**  
**\_\_\_\_\_, 1999.**