

DRAINAGE DISTRICT #1

In the absence of the County Judge, the Honorable Abelardo "Lalo" Arcaute, County Commissioner for Precinct Two, called the Drainage District #1 Board meeting to order, whereupon the following proceedings were had to-wit:

CONSENT AGENDA

ITEM 1. LINE ITEM TRANSFER:

(See Exhibit A)

ITEM 2. PERMITS:

- A. North Alamo Water Supply
- B. City of Progreso

(See Exhibit B)

Commissioner Arcaute introduced the Consent Agenda, there being no changes, additions or deletions, a motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve it as presented.

MOTION CARRIED.

REGULAR AGENDA

ITEM 1. PURCHASING DEPARTMENT FOR DRAINAGE DISTRICT #1

- A. Requesting Approval of contract for Appraisal Services for Jackson Road Project
- B. Requesting Approval of contract for Review Appraisal Services for Jackson Road Project
- C. Requesting exemption from competitive bidding requirements for Professional Services/Engineering Services for irrigation Adjustments for Jackson Road Project
- D. Requesting approval of contract for Engineering Services J.E. Saenz & Associates, Inc. for Irrigation Adjustment for Jackson Road Project
- E. Requesting authority to advertise for Gas & Diesel fuel (Off-Highway Use)

1/A-D

Martha Salazar, the Purchasing Director, came before the Board and explained that there would be no action on Items A-D as they were placed on the wrong agenda.

NO ACTION.

1/E

She then explained that she was requesting authority to advertise for gas & diesel fuel for off-highway use. She stated that she was also requesting that this be done as a six month contract, due to the fact that the County's regular gas and fuel bid would be up on July 31st and Drainage District #1 would like to go out on bids together with the County. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit C)

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

MOTION CARRIED.

COMMISSIONERS' COURT

In the absence of the County Judge, 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. Master Court #2 - \$1,358.78

- B. Tax Office - \$14,845.00
 - C. Youth Village - \$5,000.00
 - D. J.P. Pct. 3 Pl. 2 - \$64.00
 - E. Library System - \$100.00 & \$450.00
 - F. Election Department - \$2,000.00
 - G. County Judges Office - \$636.00
 - H. 13th Court of Appeals - \$750.00
 - I. Treasury Department - \$724.00 & \$573.25
 - J. Purchasing Department - \$300.00
- (See Exhibit D)

ITEM 3. URBAN COUNTY PROGRAM

- A. HOME - First-Time Homebuyer Contract Agreement and Letter of Commitment to Mortgage Company
- (See Exhibit E)

ITEM 4. DISTRICT CLERK'S OFFICE:

- A. Monthly Fee Report for Month of November, 1997 - Total of \$128,348.92
- (See Exhibit F)

ITEM 5. PLANNING DEPARTMENT:

- A. Subdivisions:
 - 1. Joshua Estates - Pct. 1
- (See Exhibit G)

ITEM 6. APPROVAL OF COMMISSIONERS COURT MINUTES

- February 04, 1997
- February 10, 1997
- February 18, 1997
- February 25, 1997

Commissioner Arcaute presented the Consent Agenda for approval Mrs. Loura Etnire explained that there was one correction. In Item 2/G the correction was on the item number only from #31 to #14. She also mentioned that there would be no action on Item 2/H for the 13th Court of Appeals. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the Consent Agenda with the changes as presented.

MOTION CARRIED.
(See Exhibits D-G)

REGULAR AGENDA

ITEM 1. PLANNING DEPARTMENT:

A. Subdivisions:

1. Vista Bonita #9 Subdivision - Pct. 4
2. Walker Subdivision - Pct. 4

B. Final Plat Approval:

1. Mariposa Subdivision - Pct. 1
2. Rancho Los Pintos - Pct. 3

1/A/1

Emilio Garcia, Chief Planner came before the Court requesting approval of Vista Bonita #9 Subdivision. This subdivision is in Precinct Four, located $\frac{3}{4}$ miles west from Doolittle Road. It was a back-to-back subdivision; one being on the south side of FM 2812 and the other is on the north side of Ingle Road. It has been approved by the City of Edinburg. Commissioner Arcaute asked about the inspection of the culvert pipes and who was doing this now. Mr. Garcia responded that when it had been A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the subdivision, as presented.

MOTION CARRIED.

(See Exhibit H)

1/A/2

Mr. Garcia explained that Walker Subdivision was on the northwest corner of Holmes Road and State Highway 107. On October 28th, there was no action taken on this subdivision as there was some discussion that Commissioner Garces wanted to discuss this subdivision with the developer. Commissioner Garces informed the Court that the engineer was in the audience and he asked that he come forward to give a briefing of what was out there. Commissioner Garces added that they had gone out to this area during the heavy rains of 1995 and this subdivision had not flooded. Gilbert Gracia explained that this subdivision was about two hundred (200) feet deep and it stretched for about a $\frac{1}{4}$ mile frontage on the highway. The property was on an "AH" flood zone as per the FEMA maps and the flood level was designated at an elevation of 73. He stated that the developer was prepared to set a finished floor elevation of 73 $\frac{1}{2}$ which was $\frac{1}{2}$ a foot above the flood elevation. He added that this flood elevation was for a 100 year flood and they were also prepared to make a notation on the plat that when a building permit was requested the owner of the property will submit a grading plan to allow the County to review it an make sure everything that is needed is provided. Commissioner Arcaute explained that this was the reason that the subdivision regulations had been established to be able to avoid these kinds of problems. Commissioner Garces

stated that he did not think that this area would flood and Mr. Gracia added that there was a drain ditch on the south side of the highway and there was a culvert at the west end of this project which allowed this subdivision to drain into this drain ditch. He added that they had also proposed a drain swale along the north side of the property to hold the additional water that will be created from the improvements in accordance with the County subdivision regulations. Mr. Gracia added that the developer is willing to provide whatever it is that the County needs to assure itself that there will be no drainage problems there. Commissioner Garces informed Commissioner Arcaute that he had mentioned that it was regarding the proposed build-up and Mr. Gracia explained this problem with regards to Walker Subdivision. Commissioner Handy asked what zone this subdivision fell in and Mr. Gracia explained that it was an "AH" subdivision, but it had a small area that was a zone "B". She also asked him what would occur if their solution to possible flooding did not work and what would the result be and how would it be taken care of. Mr. Garcia responded that it was not practicable to guarantee that there would be no flooding and all that he could do was design for a certain event. Commissioner Garces added that he felt that the State Highway Department would have adequate drainage systems in and about their roadways. Commissioner Handy expressed her concern over the possible problems that may arise, as she was having similar problems currently in her Precinct. Commissioner Garces pointed out that when the subdivision in her area flooded, Walker Subdivision did not flood, even though it was zoned "AH". Gilbert Godfrey, the Drainage District Manager, explained the area in and around this area. He did add that the County needed to take the advice of Commissioner Rosel that we needed some type of workshop to get some guidelines in place. He said that he knew that FEMA would be amending some of our maps to bring it closer to what the realistic situation was. He did say that he did not completely agree with the solution presented here, but he felt that they needed to work with the developers in the best way that they could. Commissioner Garces indicated that he felt comfortable with this subdivision and he made a motion to accept Walker Subdivision presented by Alpha America and take on the recommendations as provided by their engineer and our Planning Department. The motion died for lack of a second.

NO ACTION.
(See Exhibit H)

1/B/1

Mr. Garcia informed the Court that Mariposa Subdivision was in Precinct One and it has been completed in accordance to the City of Weslaco and the County. He noted that they had installed all the stop signs, traffic control devices and the testing of the streets. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the subdivision, as presented. A discussion ensued regarding an eight foot ditch running along this area as well as the drainage system in and around the County. Commissioner Arcaute posed the question of having the developers pay for that type of

drainage system; Commissioner Rosel concurred but Mr. Garza recommended that the Commission not be too quick in accepting any drainage systems that are not in compliance unless the County was prepared to accept liability.

MOTION CARRIED.
(See Exhibit H)

1/B/2

Mr. Garcia announced that Rancho Los Pintos Subdivision was a five acre tract located in Precinct Three and the request was for final plat approval. A motion was made by Commissioner Rosel and seconded by Commissioners Garces and Handy to approve.

MOTION CARRIED.
(See Exhibit H)

ITEM 2. SHERIFF'S OFFICE - JAIL:

- A. Approval of Amendment to Interlocal Agreement with Limestone County for housing of Hidalgo County Inmates

Captain Joe Jackson, from the Sheriff's Department, came before the Court requesting approval of an amendment to an existing interlocal agreement with Limestone County for the housing of Hidalgo County inmates. The amendment was in regards to the rate and it would be changing from \$41.00 to \$37.00 per day for every inmate over one hundred. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the amended interlocal agreement currently held with Limestone County and it is presented in the attachment, Subsection B "for man days in excess of 100 during the term of this Agreement, the per diem rate shall be the amount of [\$37.00] per man". This amendment will become effective as of October 7, 1997.

MOTION CARRIED.
(See Exhibit I)

ITEM 3. JUVENILE PROBATION:

- A. Budget Amendment in the amount of \$33,155.32 and appropriation of the same - State Reimbursement funds TJPC-E-97 (Title IV-E)

Israel "Buddy" Silva, Juvenile Probation Director, came before the Court requesting approval of a budget amendment in the amount of \$33,155.32 and appropriate same. He explained that these were State funds that were reimbursed from the Probation Commission for their IV-E Program. A motion

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

MOTION CARRIED.
(See Exhibit J)

ITEM 4. COUNTY JUDGE'S OFFICE:

- A. Consider and approve Interlocal Cooperation Contract - Regional 911 System

It was indicated that there would be no action on this item and Commissioner Garces indicated that there were some individuals who would like to know why. Valde Guerra explained that the County legal counsel had some questions on it and he would be addressing those. Steve Crain, the County Legal Counsel, pointed out that there were some concerns, number one being that it was made out to the City of Hidalgo versus the County of Hidalgo plus other issues. Commissioner Arcaute asked if there was a deadline on this and Mr. Ken Jones noted that they could bring this back the following week for consideration. Commissioner Arcaute questioned if these issues could be discussed and taken care of at this time and Mr. Crain replied that there were some legal issues regarding the contract, primarily Article II of the agreement which discusses the acquisition of equipment, suitable space, all technical requirements and assist the telephone companies in installing. He felt that it was pretty open-ended and he wanted to see if he could attach an exhibit or schedule to it to define exactly what the County's role under Article 2.01 is for budgetary purposes. He continued by pointing out that Exhibits "B" and the first Exhibit "C" were blank, the second Exhibit "C" had items on it and there were some questions regarding some of those items. Commissioner Arcaute asked that this item be tabled. A motion was made by Commissioner Garces and seconded by Commissioner Handy to TABLE the item as presented. Commissioner Garces asked if this Commissioners' Court find a system out there, because he felt that a draft was being presented one week and was being approved the following week and he felt that the first passage should be handled administratively beforehand.

MOTION CARRIED.
(See Exhibit K)

ITEM 5. LIBRARY SYSTEM:

- A. Approval of Interlocal Agreement with the City of Brownsville
- B. Appointment of Board Members of the Hidalgo County Library System

5/A

William McGee, Library System Coordinator, came before the Court requesting approval of the interlocal agreement with the City of Brownsville to enable them to benefit from any advantageous contract that they do for Cameron Counties. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the interlocal agreement with the City of Brownsville, as presented.

MOTION CARRIED.
(See Exhibit L)

5/B

Mr. McGee was also requesting the appointments of the board members for the Hidalgo County Library System. He added that three libraries had recommended a representatives and alternatives to the Advisory Board and he is requesting that they be approved so that they can begin January 1, 1998. He explained that the names have been placed in the order of recommendation by the Board. The recommendations are: from the City of Pharr - Mr. LaVerne Nielsen, Mr. Tony Garcia and Mrs. Catheryn Stout. A motion was made by Commissioner Garces and seconded by Rosel to appoint Mr. LaVerne Nielsen, as the representative and Mr. Tony Garcia as the alternate.

MOTION CARRIED.
(See Exhibit L)

The City of McAllen was recommending Mr. Vel Turner, Mrs. Geneva Ashwander and Mr. Ruben Cavazos. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to appoint Mr. Vel Turner as the representative and Mrs. Geneva Ashwander as the alternate.

MOTION CARRIED.
(See Exhibit L)

The recommendations from the City of Elsa are Mr. Gregorio Madrigal, Mrs. Maggie Lopez and Mrs. Elizabeth Salinas. A motion was made by Commissioner Handy and seconded by Commissioner Garces to appoint Mr. Gregorio Madrigal as the representative and Mrs. Maggie Lopez as the alternate.

MOTION CARRIED.
(See Exhibit L)

ITEM 6. ADULT PROBATION:

- A. Approval on FY-98 Budget Adjustments as approved by the Community Justice Assistance division on 11/14/97. All adjustments

made within CJAD Categories, total amount on each budget did not change

Joe Lopez, Adult Probation Director, came before the Court stating that he request was basically for approval of 5% salary increases for all of his staff effective today. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit M)

ITEM 7. COMMISSIONER PCT. 1:

- A. Discussion and action to remove the freeze on the County unreserved fund balance
- B. Discussion and action to appropriate \$300,000.00 from the County Wide unreserved fund balance to Pct. 1 Paved/Unpaved

Commissioner Handy informed the Court that no action was being requested on Items 7/A and 7/B at this time.

NO ACTION
(See Exhibit N)

ITEM 8. TAX OFFICE:

- A. Ministerial Approval of Appropriation in the Special Vehicle Inventory Fund

Armando Barrera, Tax Assessor-Collector, came before the Court requesting ministerial approval of appropriation in the special vehicle inventory fund. He explained that this fund was where they collected all the taxes on a monthly basis and any interest that was earned under this fund was under the sole control of the Tax Collector. He was in the process of buying some equipment and supplies and also hiring temporary employee to administer this function. He added that for auditing purposes he was asked to place this item on the agenda. Manuel Cavazos, the County Auditor, explained that all that was needed was the appropriation. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit O)

ITEM 9. URBAN COUNTY PROGRAM:

- A. City of La Joya Lift Station Rehabilitation Project (FY 1994, 1995 & 1996) Approval of a construction contract with Solis & Chapa Construction
- B. City of La Joya Water/Sewer Treatment Plant Offsite Utility Project (FY 1994, 1995 & 1996) Approval of a construction contract with Solis & Chapa Construction
- C. Pct. #3 - Approval of a Professional Service Contract with Hinojosa "Engineering for a Street Improvements Project Year 10 - 1997
- D. Pct. #4 - Approval of a construction contract with All Pro Contractors for a PFI - Parks, Recreational Facilities Year 8 - 1995
- E. Designation of community Housing Development Organization (CHDO) under the HOME Program
- F. Approval to enter into a contract with Colonias Del Valle as a Community Housing Development Organization (CHDO) for County's FY 1997 HOME Program

9/A

Anthony Covacevich, Urban County Director, announced that the City of La Joya was asking for permission to enter into a construction contract with Solis & Chapa Construction. This was for a \$10,000.00 contract for work on a lift station and it was his understanding that the County has a situation currently with Solis & Chapa Construction Company that is trying to be resolved, so his department would be sure to acquire the proper bonding and they would monitor this project very closely. Commissioner Rosel pointed out that since they are having problems he felt that his recommendation would be for Mr. Covacevich to wait until he gets all the documentation in place before approval. Mr. Covacevich explained that the way the process is done is that they award the contract first and then once all the documents are in place they then they issue a notice to supersede. Commissioner Rosel indicated that he would like to look into this before the award is done. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to TABLE this item.

MOTION CARRIED.
(See Exhibit P)

9/B

Commissioner Rosel suggested that this be done with this next item since it was related to the previous one. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to TABLE this item.

MOTION CARRIED.
(See Exhibit P)

9/C

Mr. Covacevich informed the Court that this next item was a request from Precinct Three for approval of a professional service contract with Hinojosa Engineering for street improvements Year 10. The contract amount was for \$74,582.01. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit P)

7/D

Mr. Covacevich announced that Precinct Four was requesting approval of a construction contract with All Pro Contractors for \$11,600.00. This was for a basketball court in the community of Hargill. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit P)

7/E

Mr. Covacevich indicated that this next item was for the designation of a Community Housing Development Organization (CHDO) under the HOME Program. He explained that under the HOME Program they were allowed to certify organizations that are community housing development oriented so that they can then contract with them on the 15% set aside that they do. He added that this was for the Rio Grande Valley Opportunity Industrialization Center Inc. and they have qualified as a CHDO and he was recommending approval to designate them as a CHDO. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit P)

7/F

Mr. Covacevich stated that this was for approval to enter into contract with Colonias Del Valle as a Community Housing Development Organization (CHDO) for the County's FY 1997 HOME Program. He added that they have already been designated as a CHDO for several years and they have been working with them on several projects. He added that this would be a \$50,000.00 contract with them for the acquisition and rehab of an apartment complex. He said that this met all of HUD's regulations and he was recommending approval. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

(See Exhibit P)

ITEM 10. PURCHASING DEPARTMENT:

- A. Hidalgo County:
 - 1. Requesting the effective date for contract for Bottled Water Services for Hidalgo County be January 1, 1998
 - 2. Recommending award of bid for Striping of County Roads
 - 3. Requesting approval of contract for Gas & Diesel Fuel (Off Highway Use)
- B. Pct. 1 & 4:
 - 1. Requesting authority to advertise for Pit-Run Caliche
- C. Pct. 3:
 - 1. Recommending bid award for Rental Space for Tax Office in the City of Mission to sole bidder
 - 2. Recommending approval of lease agreement for Rental Space for Tax Office in the City of Mission
- D. Auditor's Office:
 - 1. Requesting authority for "Data Processing Hardware Support"
- E. Community Service:
 - 1. Requesting approval of renewal of lease for Donna Insurance Agency
- F. Library System:
 - 1. Requesting approval of lease for \$725.00 monthly rental - Jorge Goddard
- G. Sheriff's Department:
 - 1. Recommending award of bid on "Vehicle Radio and Equipment" to multiple vendors
 - 2. Recommending award of bid on "Weapons and Police Equipment" to sole bidder
- H. WIC Program:
 - 1. Requesting approval of renewal of lease for Elsa WIC Clinic

10/A/1

Martha Salazar, Purchasing Director, came before the Court requesting that the effective date for the contract for bottled water services, for the County of Hidalgo be January 1, 1998. This would give the departments and the company time to make the transition of any services that they have been doing. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

10/A/2

The next item was for recommendation of bid award for the striping of County roads. Mrs. Salazar explained that these bids were opened on November 19th and the overall low bidder was Pavement Markings from Donna. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

10/A/3

Mrs. Salazar indicated that this next item was for approval of the contract with Pavement Markings for the striping of County roads. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

10/A/4

Mrs. Salazar informed the Court that she was requesting authority to advertise for gas and diesel fuel, for off-highway use for a six month period for the County. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

10/B

Mrs. Salazar indicated that this next item was to request authority to advertise for pit-run caliche for Precincts One and Four. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the advertisement.

MOTION CARRIED.
(See Exhibit Q)

10/C/1

Commissioner Rosel informed the Court that he has filed an affidavit and he will not participate in any way with any part of Item 10/C. Mrs. Salazar reported that this for the recommendation of the bid award for rental space for the Tax Office in the City of Mission to the sole bidder Mrs. Placida Rosel at 69¢ per square foot. Her bid was for 23,000 square feet. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the bid award as presented.

MOTION CARRIED.

(See Exhibit Q)

10/C/2

Mrs. Salazar indicated that this next item was for approval of the lease agreement for the rental space for the Tax Office in the City of Mission with Mrs. Placida Rosel. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.

(See Exhibit Q)

10/D

The next item was for authorization to advertise to data processing hardware support for the Hidalgo County Auditors Office. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.

(See Exhibit Q)

10/E

Mrs. Salazar explained that she was requesting approval for the renewal of lease with the Donna Insurance Agency for the Community Service Department. She added that this was on the option to renew for an additional year at \$350.00 per month. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

(See Exhibit Q)

10/F

Mrs. Salazar indicated that there would be no action. She explained that this would be a renewal.

NO ACTION.

(See Exhibit Q)

10/G/1

Mrs. Salazar stated that there would be no action on this item as their tabulation sheet did not get into the back and they are working on this today. It will be on next weeks agenda.

NO ACTION.

(See Exhibit Q)

10/G/2

Mrs. Salazar was recommending awarding of the bid for weapons and police equipment to the sole bidder, being GT Distributors Inc. She added that after review with the Department, they are quite satisfied with the prices. The total amount of the bid is \$26,493.16. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

10/H

Mrs. Salazar announced that she was requesting approval of a renewal lease agreement for the Elsa WIC Clinic. The agreement is with Mr. Felix Chavez, Jr. and it will not exceed \$759.00 per month. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit Q)

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

MOTION CARRIED.