

**COUNTY OF HIDALGO COMMISSIONERS' COURT**

**BE IT REMEMBERED that on the 12<sup>th</sup> day of January, 1998 after notice duly having been given, a Regular Meeting of the Commissioners' Court and the Drainage District #1 Board 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 for Precinct Two, called the Drainage District #1 Board meeting to order, whereupon the following proceedings were had, to-wit:

### **CONSENT AGENDA**

**ITEM 1. 1997 line item - \$23,035.00**

(See Exhibit A)

**ITEM 2. 1998 LINE ITEM - \$500.00**

(See Exhibit B)

Commissioner Arcaute introduced the Consent Agenda 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 DRAINAGE DISTRICT #1**

- A. Resolution declaring property surplus and setting date to receive bids for sale of same

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the resolution declaring property surplus, 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 Rosel and seconded by Commissioner Garces 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. 1997 LINE ITEM TRANSFER**

- A. Commissioner Pct. 1 - Parks - \$6,682.00
- B. Commissioner Pct. 1 - Paved/Unpaved - \$65,000.00
- C. Commissioner Pct. 2 - Paved/Unpaved - \$10,000.00
- D. Commissioner Pct. 2 - County Wide - \$400.00
- E. Commissioner Pct. 2 - Parks - \$3,000.00
- F. Commissioner Pct. 3 - Paved/Unpaved - \$17,131.40
- G. Commissioner Pct. 3 - Administration - \$933.10
- H. Health Department - Health Clinics - \$19,769.00
- I. 139<sup>th</sup> District Court - \$2,078.58
- J. WIC Department - \$16,000.00
- K. District Attorney - Bad Checks Account - \$33.00
- L. District Attorney - General Fund - \$2,000.00

- M. Sheriff's Office - Jail - \$1,500.00
  - N. County Court at Law #4 - \$70.00
  - O. Youth Village - \$1,000.00
  - P. Buildings & Grounds - \$170.00 & \$578.95 & \$472.62
  - Q. District Clerk - No Action
- (See Exhibit D)

**ITEM 3. 1998 LINE ITEM TRANSFERS**

- A. Juvenile Probation - \$17,618.00
- (See Exhibit E)

**ITEM 4. RIGHT OF WAY DEPARTMENT**

- A. Permits
    - 1. Pct. #1 - North Alamo Water Supply
    - 2. Pct. #3 - Coastal Oil & Gas Corp.
    - 3. Pct. #4 - Apache Corp.  
- North Alamo Water Supply
- (See Exhibit F)

**ITEM 5. PLANNING DEPARTMENT**

- A. Jackson Commerce Development Subdivision Phase IV -  
Pct. #2
- (See Exhibit G)

**ITEM 6. COUNTY CLERK'S OFFICE**

- A. Approval of Commissioners' Court Minutes for:
  - 1. March 04, 1997
  - 2. March 10, 1997
  - 3. March 18, 1997
  - 4. April 01, 1997
  - 5. April 08, 1997
  - 6. April 14, 1997
  - 7. April 22, 1997
  - 8. April 29, 1997

The County Judge introduced the Consent Agenda and asked if there were any questions and/or comments. He did

indicate that no action would be required on Item 2/Q. A motion was then made by Commissioner Rosel and seconded by Commissioner Garces to approve.

MOTION CARRIED.

## **REGULAR AGENDA**

### **ITEM 1. PLANNING DEPARTMENT**

#### **A. Subdivision**

##### **1. West Mission Estates #1 - Pct. 3**

Emilio Garcia, Chief Planner, was requesting approval of West Mission Estates #1 Subdivision. It is in Precinct Three, located approximately 1801 feet south of Mile 6 North Road, on the west side of Brushline Road. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve.

MOTION CARRIED.

(See Exhibit H)

### **ITEM 2. URBAN COUNTY PROGRAM**

- A. Presentation of Program Year Review and assessment for CDBG, ESG, and HOME Programs for Fiscal Year ended June 30, 1997**
- B. HOME/Homeowner Occupied Housing Rehab contract Cancellation - 2 families**
- C. HOME/Homeowner Occupied Housing Rehab Applications - 5 families**
- D. City of Elsa - HOME/Housing Rehabilitation Program Construction Contract Award**
- E. Extension on "Letter of Commitment" to Mortgage Company**
- F. City of Donna - PFI - Approval of Professional Services Contract**

G. City of Elsa - PFI - Approval of Construction Contract with Sascon, Inc.

H. City of Elsa - PFI - Approval of Construction Contract with Rio Grande Valley Environment, Inc.

2/A

Anthony Covacevich, Urban County Director, informed the Court that HUD evaluates their department every year and a copy of the evaluation was included in the packets. He then went on to explain the review, and after a brief discussion, no action was required.

NO ACTION.  
(See Exhibit I)

2/B

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the cancellation of two contracts, with Cypress Construction, under the HOME/Homeowner Occupied Housing Rehabilitation Program.

MOTION CARRIED.  
(See Exhibit I)

2/C

A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve five applications under the HOME/ Homeowner Occupied Housing Rehabilitation Program.

MOTION CARRIED.  
(See Exhibit I)

2/D

The City of Elsa was requesting approval of a HOME/Housing Rehabilitation Program construction contract with Lerma Construction who is the lowest bidder at \$163,500.00;

for nine dwelling units. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve.

**MOTION CARRIED.**  
(See Exhibit I)

2/E

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize an extension of a letter of commitment to the mortgage company for Manuela Ledesma and NationsBank and Jose Ricardo Delgado and Texas Mortgage Company.

**MOTION CARRIED.**  
(See Exhibit I)

2/F

The City of Donna was requesting approval of a professional services contract with Rust Environment and Infrastructure in the amount of \$9,500.00. A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve.

**MOTION CARRIED.**  
(See Exhibit I)

2/G

The City of Elsa was requesting approval of a construction contract with Sascon, Inc. in the amount of \$152,940.00. A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve.

**MOTION CARRIED.**  
(See Exhibit I)

2/H

The City of Elsa was requesting approval of a construction contract with Rio Grande Valley Environment, Inc.,

in the amount of \$116,075.00. A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve.

MOTION CARRIED.

(See Exhibit I)

### **ITEM 3. JUVENILE PROBATION**

- A. Approval of budget amendment in the amount of \$90,386.00 from the General Fund challenge Grant State Funds and appropriate same
- B. Approval of budget amendment in the amount of \$45,193.00 from the General Fund - This will satisfy a 50% Challenge Grant local match requirement

3/A

A motion was made by Commissioner Garces and seconded by Commissioner Handy to authorize a budget amendment in the amount of \$90,386.00 for the TJPC-C-98 Challenge Grant and the appropriation of same.

MOTION CARRIED.

(See Exhibit J)

3/B

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve a budget amendment in the amount of \$45,193.00, which is the local match requirement under the TJPC-C-98 Grant.

MOTION CARRIED.

(See Exhibit J)

### **ITEM 4. HEALTH DEPARTMENT**

- A. Authorization to extend salaries until state contract renewals arrive

- B. Approval of invoice #005 for payment for Alvarado Architects and Associates for the Pulmonary Clinic
- C. Approval of Final payment to Alvarado Architects and Associates - Pulmonary Clinic

4/A

A motion was made by Commissioner Garces and seconded by Commissioner Handy to authorize an extension of salaries until the renewal of the State contract.

**MOTION CARRIED.**

(See Exhibit K)

4/B

A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve invoice #005 in the amount of \$1,442.00 to Alvarado Architects and Associates for the pulmonary clinic.

**MOTION CARRIED.**

(See Exhibit K)

4/C

A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the final payment to Alvarado Architects and Associates for the pulmonary clinic.

**MOTION CARRIED.**

(See Exhibit K)

**ITEM 5. SHERIFF'S OFFICE - JAIL**

- A. Approval to set salaries for Jail Commissary personnel - 8-795-423-200

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to set the salaries for the personnel under the Jail Commissary, as presented.

MOTION CARRIED.  
(See Exhibit L)

## **ITEM 6. COUNTY CLERK**

### **A. Selection of 1998 Grievance Committee**

Commissioner Arcaute indicated that this was for the selection of the Committee that would hear any grievances, as far as salaries are concerned and they are selected during the first Regular Meeting of the year. It calls for seven members and two alternates and they are selected from the pool of grand jury members and they are picked by lot. Lisa Saucedo, Administrative Assistant to the County Judge, volunteered to draw the names and they were: Maria Pilar Subedar from Pharr; Monica Marie Medrano from San Juan; Ofelia Martinez from Progreso; Maria Alicia Ortiz from Donna; Jennifer Ann Roper from McAllen; Robin D. Bustamante from Donna; Elvira Y. Sanchez from Edinburg; Jesus Flores from Elsa and Cecilio Rodriguez from Edinburg. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the selection of 1998 Grievance Committee consisting of Maria Pilar Subedar, Monica Marie Medrano, Ofelia Martinez, Maria Alicia Ortiz, Jennifer Roper, Robin Bustamante, Elvira Y. Sanchez, Jesus Flores and Cecilio Rodriguez.

MOTION CARRIED.  
(See Exhibit M)

## **ITEM 7. COUNTY JUDGE'S OFFICE**

### **A. Approval of Recommendations to the Sports Venue**

Lisa Saucedo Robledo, Administrative Assistant to the County Judge, informed the Court that they had previously formed a committee consisting of Cullen Looney, Zeke Reyna, Richard Perez, Humberto Rodriguez and Tony Aguirre. She was here to present this committee's recommendations. After some discussion, a motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the baseball committee and appoint Cullen Looney, Tony Aguirre, Zeke Reyna, Richard Perez and Humberto Rodriguez.

**MOTION CARRIED.**  
(See Exhibit N)

**ITEM 8. O.E.T.**

**A. Discussion and possible action to approve the Private Industry Council vacancies and re-appointments**

Dick Dickinson, OET Executive Director, informed the Court that there were presently five vacancies on the PIC Board. He was requesting that this Court nominate their choices to the Board to be approved by the Governor's Office. After some discussion, the following nominations were made: Mary Lou Duque, Angelica Vela Gutierrez, Maria Luisa Garcia, Raymond Longoria, Joe Arellano, Vaughn Cox, Raudel Garza and Rachel Garcia. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the Private Industry Council vacancies as follows: for Precinct One out of the Elsa Chamber of Commerce, Mary Lou Duque; for Pct.. 2, Education/McAllen ISD, Maria Luisa Garcia; under Vocational Rehabilitation with the Texas Rehabilitation Commission, Mario Flores; from the Hidalgo Chamber, Angelica Vela Gutierrez; from the McAllen Chamber, Raymond Longoria; from a Community Based Organization, Joe Arellano; from Comfort House/Labor, Vaughn Cox; and for economic development under Precinct Three, Raudel Garza, from Mission economic development; and under Precinct Four, public employment Rachel Garcia.

**MOTION CARRIED.**  
(See Exhibit O)

**ITEM 9. COMMISSIONER PCT. #1**

- A. Approval of roadway easement - Mile 4 ½ W & Mile 15 N.  
(Johnny's Subdivision)

Commissioner Handy was requesting the acceptance of a roadway easement on Mile 4 ½ West and Mile 15 North. After some discussion, a motion was made by Commissioner Handy and seconded by Commissioner Garces to approve.

**MOTION CARRIED.**  
(Se Exhibit P)

**ITEM 10. TAX OFFICE**

- A. Ministerial approval for Temporary Special Inventory Clerk  
B. Appropriation of funds from special inventory fund  
C. Set Salary for Temporary Special Inventory Clerk

10/A

A motion was made by Commissioner Garces and seconded by Commissioner Handy to give ministerial approval for a temporary special inventory clerk.

**MOTION CARRIED.**  
(See Exhibit Q)

10/B

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to appropriate the funds from the special inventory fund for the temporary special inventory clerk position.

MOTION CARRIED.  
(See Exhibit Q)

10/C

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to set the salary of the temporary special inventory clerk at \$4,037.00, plus fringes.

MOTION CARRIED.  
(See Exhibit Q)

**ITEM 15. 1998 BUDGET**

- A. Budget Amendments - 1998 Year
  - 5. 139<sup>th</sup> District Court

State District Judge Leticia Hinojosa came before the Court requesting approval of a budget amendment in the amount of \$8,958.26. This was in order to set the salaries in-line to those in the other District Courts. After some discussion, a motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the budget amendment, as presented.

MOTION CARRIED.  
(See Exhibit R)

**ITEM 14. PURCHASING DEPARTMENT**

- B. Hidalgo County

- 1. Presentation by three (3) finalist architectural firms for: Request for Qualifications - Hidalgo County Adult Detention Facility Project

Martha Salazar, County Purchasing Director, indicated that the three finalist would be giving presentations on their request for qualifications for the Adult Detention Facility Project. The three finalist were Croslin and Associates, Di Stefano-Santopetro Architects and Lopez & Lopez Architects dba Perspectiva. Each

firm then proceeded with their presentations which included firm history, as well as a listing of projects they have worked on and what kind of working relationship they would have with the County if selected. After some discussion, Steve Crain, the County legal counsel indicated that the next step was to rank these firms as per their qualifications and then proceed to negotiate a contract. If no contract was negotiated then the Court would proceed with the next firm and so on. After further discussion, Commissioner Rosel indicated that the way that he would rank them is as follows: Di Stefano-Santopetro Architects, Croslin and Associates and Lopez & Lopez Architects dba Perspectiva and he made a motion to this effect. Commissioner Arcaute indicated that the motion was out of order and no action was taken on this item at this time.

NO ACTION.  
(See Exhibit S)

#### **ITEM 11. ELECTIONS DEPARTMENT**

- A. Approval of budget amendment in the amount of \$28,995.50 and appropriate the same

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve a budget amendment and appropriation in the amount of \$28,995.00 to cover the Primary, Run-Off and General Elections.

MOTION CARRIED.  
(See Exhibit T)

#### **ITEM 12. AUDITOR'S OFFICE**

- A. Approval of Overtime payment not to exceed 40 hours  
B. Line Item transfer to cover overtime payment

- C. Authorization to furnish the Hidalgo County Auditor's Office Computer Department Supervisor with a cell phone

12/A

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve overtime payment for the County Auditor's Office not to exceed forty hours, due to the implementation of the Cafeteria Plan.

MOTION CARRIED. (Commissioner Arcaute voted against the motion)

(See Exhibit U)

12/B

A motion was made by Commissioner Garces and seconded by Commissioner Handy to authorize a line item transfer in the amount of \$ to cover overtime payment in the Auditor's Office.

MOTION CARRIED.

(See Exhibit U)

12/C

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to furnish the Auditor's Computer Department Supervisor with a cellular phone.

MOTION CARRIED.

(See Exhibit U)

**ITEM 13. COMPUTER DEPARTMENT**

- A. Approval of Resolution and Contract between Hidalgo County and Criminal Justice Policy Council for implementation of Live Scan/Electronic Arrest Reporting Grant

- B. Transfer and Appropriate funds from Computer Department to County Computer System
- C. Re-appropriate funds into the 1998 Computer System Budget
- D. Budget amendment in the amount of \$182,765.00

### 13/A

Pete Rivera, Systems Administrators, came before the Court requesting approval of a resolution and contract between Hidalgo County and the Criminal Justice Policy Council for implementation of live scan/electronic arrest reporting grant. He stated that this grant had been approved last year but it had not been put to use and the Criminal Justice Policy Council had agreed to re-appropriate these funds under 1998. The grant was in the amount of \$33,000.00 and no matching funds were required. Steve Crain, the County Legal Counsel, noted that this contract was dated as of January 1<sup>st</sup> and his concern was that this County was making representations that they could perform this service right now and the question was if the computer department could be able to comply with the terms of this contract. The concern was that the Computer Department was in the process of going into a new system and it would not be up and running until sometime in the future. Mr. Rivera stated that he had informed the Criminal Justice Policy Council that this was contingent on the County bringing in the new software vendor. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

**MOTION CARRIED.**  
(See Exhibit V)

### 13/B

Mr. Rivera explained that these were monies that they can save and transfer over to the overall project of the County-wide computer system. These were savings that the departments had by cutting contracts with current vendors. The amount to be transferred was \$90,000.00. A motion was made by

Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.  
(See Exhibit V)

13/C

Mr. Rivera stated that this was for the re-appropriation of funds into the county computer system. He added that this was the 1997 budget that was allocated and they were not able to use it due to time frames. The request was to re-appropriate these funds into the 1998 budget. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.  
(See Exhibit V)

13/D (In Verbatim Format as requested by Commissioner Arcaute)

COMM. ARCAUTE "D", budget amendment in the amount of \$182,765.00.

PETE RIVERA Yes, Commissioner, the reason that I'm coming before the Court is to ask for a budget amendment. The reason for this is being that we have to have all the funds for this project according to the, Mr. Manuel Cavazos and in order to have the funds we are short \$182,765.00. Now, on the budget amendment form indicated that there will be some monies coming back and ----- of the monies will be like the \$32,000.00 from the grant which is the Criminal Justice Policy has given us. Also Mr. Noe Perez received confirmation this morning that he will be able to allocate \$40,000.00 out of

Chapter 19 out of the Secretary of State funds. Now, these funds will be replaced into this budget and the, the funds will be replaced back into General Fund as the grants and the monies are being available.

COMM. GARCES So seventy-two of the eighty-two? Seventy-two of the one eighty two will be put back...

PETE RIVERA Yes sir.

COMM. GARCES ..into our General.

PETE RIVERA Right off the bat, yes sir that we have confirmation and I understand that Mr. Roy, ahm...

COMM. GARCES Casares.

PETE RIVERA Casares, is going to be meeting with the Auditor's to see how much money if any they can input into this project.

COMM. GARCES I think it's very important to point out Roy, as many people as we have on this project the better. I'm sure that you can find some dimes laying around; we're that close to getting very efficient in the Criminal Justice area of Hidalgo County. So, look hard, okay.

PETE RIVERA And there's also an additional \$39,000.00 that we're waiting clarification and approval from Mr. John Emmett with the Bureau of Justice Assistance on another grant that was set aside but he's been out of town and he was due back in office today.

So, we should get clearance on that also, as well.

COMM. GARCES So, if we get at least the \$39,000.00 additional it will be...

PETE RIVERA We'll bring, money left will be roughly about \$71,000.00 out of the General Fund.

COMM. GARCES If we get the forty, Elections which is, we got the confirmation from Secretary of State...

PETE RIVERA Yes we've gotten \$40,000.00, ah, confirmation...

COMM. GARCES Thirty-two, from who?

PETE RIVERA ...from the, ah, Criminal Justice Policy Council.

COMM. GARCES And also thirty-nine from the one you're processing right now.

PETE RIVERA The Auxiliary Court grant, yes.

COMM. GARCES Total \$111,182.00.

PETE RIVERA Yes, yes sir.

COMM. GARCES And then we still have the DA's to come in and...

PETE RIVERA And we're still, are, look, working with the DA's to see if anything else is..

COMM. ROSEL Well, I think when we were talking about this thing, I asked, ah, Martha at that time,

I said, "Is this all it's gonna cost us" and she said "yes"; and I think what we're doing now is we're starting to rob from Peter to pay Paul and all this other stuff. Now, I'm wondering, now I'm wondering are they going to come back to us in about a month from now, two months from now and they're going to say, well, wait a minute we didn't discuss the maintenance fees, we didn't discuss the connection fees, we didn't discuss these fees or that fees. Martha?

MARTHA SALAZAR No sir, that is inclusive. The, ah, we would be back upon, you know, upon these funds coming back and being, replacing the, going back into the General Fund. We would be back with the initial presentation which was around \$65,000.00 that the County was gonna be out of the General Fund. We're in that range, we're off maybe by \$5,000.00.

COMM. GARCES (INAUDIBLE)

MARTHA SALAZAR This would be complete. As far as your maintenance, that's going to be on a quarterly billing this year only because in the time that it takes to implement we will not be paying for maintenance since they're going to be here and implementing the system, both hardware and software. They will be readily available to, that was part of the negotiations to, to maintain for us the support. Therefore on our own which we anticipate at the end of the summer taking off, we would only be billed this year for one quarters maintenance of which I believe, I confirmed that with Mr. Rivera, this

morning, that's about \$16,250.00. He does have funding available for.

COMM. ROSEL

Is there any illegal entanglements with what he wants to do, ah, legal counsel?

STEVE CRAIN

Commissioner, as far as I can determine all he's requesting is a budget amendment and, ah, that's all he's doing.

COMM. ROSEL

And then no problem would come back and with the grants that we're going to get and, and putting them in the General Fund and...

STEVE CRAIN

Well, the only problem I addressed was the one just previously about taking money, can you do what that money is for.

COMM. ROSEL

Can do, I didn't hear you.

STEVE CRAIN

Well, the issue I addressed earlier about five minutes ago was taking the money, can you fulfill the contract that you're, that you're taking the money for. That's the only issue that I see at this point.

COMM. ROSEL

So what's your recommendation?

STEVE CRAIN

I don't have a recommendation, I'm just, I think I brought the point up before is the concern I have.

COMM. ROSEL

That legal, sir?

STEVE CRAIN

I brought the point up earlier in your previous agenda item of the concern I had with that specific item.

- COMM. GARCES I'd like to go on record also at this time that, ah, we make note that it's \$182,765.00, Pete, that we're asking as a budget amendment and I think we also need to include, of record Aaron, that, ah, we do have, we're earmarking \$40,000.00 from Elections...
- PETE RIVERA Yes sir, ah, we have...
- COMM. GARCES We have \$32,000.00, where are they coming from? \$32,000.00, where are they coming from?
- PETE RIVERA \$32,000.00 is coming from the Criminal Justice Policy Grant.
- COMM. GARCES And the \$39,000.00 that's in the process, right now.
- PETE RIVERA It's from the Auxiliary, the Block, Local Block, Local Law Enforcement Block grant.
- COMM. GARCES And the amount, ah, shortly, ah, shortcoming from the DA's Office.
- PETE RIVERA Right. That is, ah, we don't know exactly how much from the DA's.
- COMM. GARCES Commissioner Arcaute, with that I'll make a motion to approve the budget amendment in the amount of ...
- COMM. ARCAUTE Okay, which budget are we amending?
- PETE RIVERA This is the County Computer System.
- COMM. ARCAUTE The '97 or the '98?

PETE RIVERA '98.

COMM. GARCES '98.

COMM. ARCAUTE '98.

PETE RIVERA Yes sir.

COMM. HANDY In the amount of \$182,765.00?

COMM. GARCES That's the amount, yes.

COMM. HANDY I second that motion.

COMM. ARCAUTE Okay. Motion and second, under discussion. Let me, ah, let me see if I, if I got this right. What we're doing here is, is what we do, same thing we do with indigent health care. What we did earlier today with the health department. In other words, we're advancing monies that are going to be recovered later by these other...

PETE RIVERA That is correct, and I have, I have, when I spoke with the Criminal Justice Policy Council and with Mr., ah, Noe Perez, we've and, we made it very clear that this is towards the overall project and we've gotten clearance on that.

COMM. ARCAUTE Right, and, and the other thing is, you're not gonna pay \$182,000.00 tomorrow?

PETE RIVERA No sir. No sir, ah Marty will be able to explain that, I believe the 25%, ah, upon contract inception and the balance will be paid when the project is completed. That is my understanding.

COMM. ARCAUTE At that time the whole amount will be...

PETE RIVERA Yes, which will be somewhere down the third or fourth quarter of the year.

COMM. ARCAUTE I'm sorry?

PETE RIVERA It will be the third or fourth quarter of the year.

COMM. ARCAUTE Third of fourth quarter of the year.

PETE RIVERA Yes sir.

COMM. GARCES ----- June.

COMM. ARCAUTE I'm gonna request that that be included in the minutes, you know verbatim, for this. What we just, ah, discussed in the discussion. The full, ah, the full motion and stuff. If there's no further discussion all those in favor of the motion signify by saying aye.

COMMISSIONERS Aye.

COMM. ARCAUTE Against, same sign. Motion carries.  
MOTION CARRIED.  
(See Exhibit V)

## **ITEM 14. PURCHASING DEPARTMENT**

### **A. COMPUTER DEPARTMENT**

1. Approval of the following: Purchase Agreement, Software License Agreement, Client Support and Software Updated Services Agreement with the Software Group for the integrated management Information system, (Judicial, Elections, Tax Office

and Budget Administration) Total purchase price for all agreements approved - \$899,565.00

C. AUDITOR'S OFFICE

1. Requesting authority to advertise for Eleven (11) Computers and four (4) printers and other peripherals

D. CONSTABLE PCT. #4

1. Requesting five (5) seized vehicles be declared surplus

E. Commissioner Pct. 1

1. Recommending to reject all bids for "Potholes Repairs" due to necessity to expand specification requirements
2. requesting authority to re-advertise for "Potholes Repairs" with new specifications

F. COMMISSIONER PCT. 2

1. Review of bids received for "Penitas Landfill Scrap metal: for Hidalgo County Pct. #3
2. Appropriation of proceeds received from highest bidder (\$201.00) into Pct. #3 fund

G. J.P. PCT. #5 PL. 1

1. Authority to exercise sixty (60) day grace period contained in the original contract for "Pharmaceutical/Infirmary Medical Supplies" for the Sheriff's Office as not to have lapse in service

H. WIC PROGRAM

1. Requesting approval for renewal of lease - Felix Chavez, Jr.

14/A

Martha Salazar, the Purchasing Director, came before the Court, and stated that this item was for the approval of the purchase agreement, software license agreement, client support and software updated services agreement with The Software Group for the integrated management information System (MIS) including Judicial, Elections, Tax Office and budget administration. The total purchase price for all agreements is \$899,565.00 and there will be a 25% down payment upon approval

of the agreements with an amendment that initial hardware will be in first before the 25% down payment is sent to the company. The balance will be paid ten days after Hidalgo County accepts the completed and implemented project. She did say that they will come before the Commissioners' Court and report when the system is in place and fully operational. She added that the software maintenance support would only be one quarterly payment this year. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

**MOTION CARRIED.**

(See Exhibit W)

14/C

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the advertising for bids for eleven computers and four printers and other peripherals for the County Auditor's Office.

**MOTION CARRIED.**

(See Exhibit W)

14/D

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the declaration of five seized vehicles from the Precinct Four Constable as surplus.

**MOTION CARRIED.**

(See Exhibit W)

14/E/1

A motion was made by Commissioner Handy and seconded by Commissioner Garces to reject all bids for "Potholes Repairs" due to necessity to expand specification requirements.

**MOTION CARRIED.**

(See Exhibit W)

14/E/2

A motion was made by Commissioner Handy and seconded by Commissioner Garces to authorize the re-advertising for bids for "Potholes Repairs" for Precinct One.

MOTION CARRIED.  
(See Exhibit W)

14/F/1

Mrs. Salazar indicated that this next item was for the review of the bids received for the scrap metal at the Penitas Landfill, in Precinct Three. She was recommending the highest bidder, Luis Alaniz at \$201.00 per month. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve.

MOTION CARRIED.  
(See Exhibit W)

14/F/2

Mrs. Salazar indicated that no action would be required on this item at this time.

NO ACTION.  
(See Exhibit W)

14/G

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the declaration of a copier from the Justice of the Peace Pct. 5 Pl. 1 as surplus for trade-in.

MOTION CARRIED.  
(See Exhibit W)

14/H

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the Sheriff's Department to exercise a sixty day grace period contained in the

original contract for "Pharmaceutical/Infirmary Medical Supplies" for the Sheriff's Office as to not have a lapse in service.

**MOTION CARRIED.**

(See Exhibit W)

14/I

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the renewal of a lease agreement with Felix Chavez, Jr., for the WIC Program, in the Elsa area. The lease is not to exceed \$9,108.00 per year.

**MOTION CARRIED.**

(See Exhibit W)

**ITEM 15. 1998 BUDGET**

**A. Budget Amendments - 1998 Year**

1. District Clerk
2. District Attorney
3. Tax Office
4. Elections Department
6. County Treasurer

**B. Adjustments/Corrections**

1. 92<sup>nd</sup> District Court
2. 332<sup>nd</sup> District Court
3. District Attorney
4. Buildings & Grounds
5. Pct. 2 County Shop
6. Tax Office
7. County Court at Law #1

**C. Adjustments for Court Reporters**

1. County Court at Law #1
2. County Court at Law #2
3. County Court at Law #3
4. County Court at Law #4
5. 92<sup>nd</sup> District Court
6. 93<sup>rd</sup> District Court

7. 139<sup>th</sup> District Court
8. 206<sup>th</sup> District Court
9. 275<sup>th</sup> District Court
10. 332<sup>nd</sup> District Court
11. 370<sup>th</sup> District Court
12. Drug Impact Court
13. Jail Court
14. Auxiliary Court

15/A/1

Audelia Aguirre, from the District Clerk's Office, came before the Court requesting approval of a budget amendment in the amount of \$51,229.00 to cover for two employees that were approved on November 4, 1997. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve.

MOTION CARRIED. (Commissioner Rosel voted against the (See Exhibit X) motion)

15/A/2

Roy Casares, from the District Attorney's Office, was requesting approval of a budget amendment in the amount of \$84,634.04 for two additional Assistant District Attorney. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve.

MOTION CARRIED.  
(See Exhibit X)

15/A/3

Armando Barrera, County Tax Assessor/Collector, came before the Court requesting approval of a budget amendment in the amount of \$100,144.00 for additional personnel which includes two accountant and two clerk positions. After some discussion, a motion was made by Commissioner Handy and seconded by Commissioner Garces to approve.

**MOTION CARRIED.**  
(See Exhibit X)

**15/A/4**

Noe Perez, Elections Administrator, was requesting a budget amendment in the amount of \$12,240.53 to adjust and reclassify the slot for the administrative assistant position. A motion was then made by Commissioner Handy and seconded by Commissioner Garces to approve.

**MOTION CARRIED.**  
(See Exhibit X)

**15/A/6**

Norma Gonzalez, County Treasurer, came before the Court to request a budget amendment in the amount of \$50,072.00 in order to hire an accountant and a general office clerk. A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to approve.

**MOTION FAILED.**(Commissioners Handy and Arcaute voted for (See Exhibit X) the motion; Commissioners Rosel and Garces voted against the motion, Judge Cuellar was not present.)

**15/B**

It was recommended that no action be taken on these items as they are listed on the agenda. The item should indicate budget amendments.

**NO ACTION.**  
(See Exhibit X)

**15/C**

A motion was made by Commissioner Garces and seconded by Commissioner Handy to table due to incorrect wording of the agenda.

MOTION CARRIED.  
(See Exhibit X)

Commissioner Arcaute brought up the subject of the Justices of the Peace, with regards to their housing and their 1998 budgets. This resulted in a discussion, after which no action was required

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

MOTION CARRIED.

**There being no further business to come before said Court, the meetings of Commissioners' Court and the Drainage District #1 Board are hereby adjourned.**

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

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

**ABELARDO "LALO" ARCAUTE** \_\_\_\_\_  
**COUNTY COMMISSIONER, PRECINCT 2**

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

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

**Dated this 5<sup>th</sup> day of October, 1999.**

**JUAN D. SALINAS, III, County Clerk**  
**Hidalgo County, Texas**

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

**Minutes approved by Commissioners' Court and the**  
**Drainage District #1 Board on the 19<sup>th</sup> day of October, 1999.**