

**COUNTY OF HIDALGO COMMISSIONERS' COURT**

**BE IT REMEMBERED that on the 20<sup>th</sup> day of January, 1998 after notice duly having been given, a Special 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 Renato Cuellar, County Judge, called the Drainage District #1 Board meeting to order, whereupon the following proceedings were had, to-wit:

### **CONSENT AGENDA**

#### **ITEM 1. PERMIT**

A. City of Mission - Falcon Crest Subdivision  
(See Exhibit A)

#### **ITEM 2. 1997 LINE ITEM TRANSFER - \$100.00**

(See Exhibit B)

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

MOTION CARRIED.

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 Renato Cuellar, County Judge, called the Commissioners' Court meeting to order, whereupon the following proceedings were had, to-wit:

## **CONSENT AGENDA**

### **ITEM 1. APPROVAL OF CHECK REGISTER AND PAYMENT OF CLAIMS/BILLS - HIDALGO COUNTY AUDITOR**

#### **ITEM 2. 1997 LINE ITEM TRANSFERS**

- A. Commissioner Pct. 1 - Road & Bridge - \$39,322.40
- B. Commissioner Pct. 1 - Administration - \$210.00
- C. Commissioner Pct. 1 - Lateral Roads - \$4,400.00
- D. Commissioner Pct. 1 - Parks - \$16,900.00
- E. Commissioner Pct. 3 - Landfill - \$4,290.00
- F. Commissioner Pct. 3 - Paved/Unpaved - \$3,000.00
- G. Commissioner Pct. 4 - Administration - \$355.00
- H. Commissioner Pct. 4 - Road & Bridge - \$31,000.00
- I. District Attorney - General Fund - \$4,963.69
- J. District Attorney - Investigation Fund - \$7,000.00
- K. 275<sup>th</sup> District Court - \$89.65
- L. Library System - \$38.21
- M. Personnel Department - \$90.00
- N. County Court at Law #2 - \$67.33
- O. Constable Pct. 3 - \$1,040.00 & \$60.00
- P. Tax Office - \$3,850.00
- Q. J.P. Pct. 2 Pl. 1 - \$12.96
- R. Sheriff's Office - \$1,500.00
- S. Treasury Department - \$501.41
- T. Buildings & Grounds - \$12,500.00

(See Exhibit C)

#### **ITEM 3. 1998 LINE ITEM TRANSFERS**

- A. District Clerk's Office - \$23,182.64
- B. Historical Commission - \$300.00
- C. Elections Department - \$350.00
- D. District Attorney - General Fund - \$1,000.00

(See Exhibit D)

**ITEM 4. DISTRICT CLERK'S OFFICE**

- A. Fee Report for the month of December 1997 - Total amount of \$59,361.55

(See Exhibit E)

**ITEM 5. COUNTY CLERK'S OFFICE**

- A. Fee Report for the month of December 1997 - Total amount \$103,752.30

- B. Approval of Minutes for

1. March 25, 1997
2. May 12, 1997
3. May 20, 1997
4. May 27, 1997

(See Exhibit F)

**ITEM 6. RIGHT OF WAY DEPARTMENT**

- A. Pct. 1 - General Telephone

(See Exhibit G)

**ITEM 7. URBAN COUNTY PROGRAM**

- A. Extension on "Letter of Commitment" to Mortgage Company on HOME "First Time Homebuyer Contract Agreement" - 3 families

- B. HOME/Homeowner Occupied Housing Rehab Application - 3 families

(See Exhibit H)

The County Judge introduced the Consent Agenda and asked if there were any questions and/or comments. Commissioner Garces noted that as per a letter from the County Auditor's Office no action would be required on Item 1 with regards to invoice #167096 in the amount of \$21,879.66 for Anderson Equipment Company. After a brief discussion it was discovered that this invoice was a Drainage District #1 item and therefor no action could be taken on it. A motion was then

made by Commissioner Handy and seconded by Commissioners Rosel and Garces to approve.

MOTION CARRIED.

## **REGULAR AGENDA**

### **ITEM 5. 92<sup>ND</sup> DISTRICT COURT**

#### **A. Approval of Budget Amendment**

State District Ed Aparicio came before the Court requesting approval of a budget amendment in the amount of \$9,200.00. This was to fund line items that had been left out during the budget process. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve.

MOTION CARRIED.

(See Exhibit I)

## **EXECUTIVE AGENDA**

### **ITEM 1. CLOSED SESSION**

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code Section 551.071 and 551.072

to discuss the following

#### **A. Litigation**

##### **1. Consultation with Attorney**

- a. T-416-90-C
- b. T-719-88-E
- c. T-052-89-D
- d. T-527-92-B
- e. T-670-90-E
- f. T-494-86-B

#### **B. Property**

1. Deliberation regarding Real Property
2. Potential Real Property Acquisition - Probation Department

The County Judge and Commissioners went into Executive Session accompanied by Steve Crain, the County legal counsel, and the tax attorney.

NO ACTION.

**ITEM 2. OPEN SESSION**

A. Litigation

1. Consultation with Attorney
  - a. T-416-90-C - \$2,000.00
  - b. T-719-88-E - \$5,000.00
  - c. T-052-89-D - \$15,000.00
  - d. T-527-92-B - \$7,000.00
  - e. T-670-90-E - \$8,000.00
  - f. T-494-86-B - \$500.00

B. Property

1. Deliberation regarding Real Property
2. Potential Real Property Acquisition - Probation Department

2/A

A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve a resolution, subject to the taxing bodies and the different entities as presented.

MOTION CARRIED.

(See Exhibit J)

2/B

The County Judge indicated that no action would be required on this item at this time.

NO ACTION.

## **REGULAR AGENDA**

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

#### **A. Subdivision**

1. La Joya Minnesota Road Elementary - Pct. 3

#### **B. Preliminary Approval - Variance Request**

1. Tom Gill Subdivision #3 Phase II - Pct. 3

#### **1/A**

Emilio Garcia, Chief Planner, was requesting approval of La Joya Minnesota Road Elementary Subdivision. This is in Precinct Three, located on the northwest corner of F.M. 1924 and Minnesota Road. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve.

**MOTION CARRIED.**

(See Exhibit K)

#### **1/B**

He was also requesting preliminary plat approval of Tom Gill Subdivision #3 Phase II. This is in Precinct Three, located one and one half miles north of Expressway 83 on the east side of Tom Gill Road. He is requesting approval subject to the street signs, traffic control devices and testing of the streets and the final letter from the water corporation or city. There is a variance request to allow the developer an unopened road on the south end of the subdivision. He did indicate that this road leads to a dead end to a caliche pit; there is another road to this subdivision. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to give preliminary plat approval to Tom Gill Subdivision #3 Phase II.

**MOTION CARRIED.**

(See Exhibit K)

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the variance request for Tom Gill Subdivision #3 Phase II.

MOTION CARRIED.  
(See Exhibit K)

**ITEM 2. MCALLEN JAYCEES**

A. Proclamation declaring January 18<sup>th</sup> - 24<sup>th</sup>, 1998 as Jaycees Week

A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve a proclamation declaring January 18<sup>th</sup> - 24<sup>th</sup>, 1998 as Jaycees Week.

MOTION CARRIED.  
(See Exhibit L)

**ITEM 3. VARIOUS DEPARTMENTS**

A. Set Salaries

1. District Clerk - 1 Accountant, 1 Bookkeeper
2. District Attorney - 2 Asst. D.A.s
3. Tax Office - 2 Accountants, 2 Clerks
4. Elections Administration - 1 Administrative Asst.
5. 139<sup>th</sup> District Court - 1 Criminal Court Coor./Bailiff, 1 Office Manager/Interpreter

3/A/1

Loura Etnire, Chief Administrative Assistant, indicated that this was to confirm items that had been approved the previous week. A motion was made by Commissioner Garces and seconded by Commissioner Handy to set the salaries for the District Clerk as follows: one Accountant at \$23,500.00 and one Bookkeeper at \$17,500.00.

MOTION CARRIED.  
(See Exhibit M)

3/A/2

A motion was made by Commissioner Garces and seconded by Commissioner Handy to set the salaries for the District Attorney's Office as follows: two Asst. District Attorneys at \$34,000.00 each.

MOTION CARRIED.

(See Exhibit M)

3/A/3

A motion was made by Commissioner Garces and seconded by Commissioner Handy to set the salaries for the Tax Office as follows: two Accountants at \$28,000.00 and two clerks at \$12,000.00.

MOTION CARRIED.

(See Exhibit M)

3/A/4

A motion was made by Commissioner Garces and seconded by Commissioner Handy to set the salaries for the Elections Administration for one Administrative Asst. at \$25,306.43.

MOTION CARRIED.

(See Exhibit M)

3/A/5

A motion was made by Commissioner Garces and seconded by Commissioner Handy to set the salaries for the 139<sup>th</sup> District Court as follows: one Criminal Court Coor./Bailiff at \$32,000.00 and one Office Manager/ Interpreter at \$27,857.95.

MOTION CARRIED.

(See Exhibit M)

After discussion, a motion was made by Commissioner Rosel and seconded by Commissioner Handy to set these salaries effective today.

MOTION CARRIED.

**ITEM 4. COUNTY JUDGE'S OFFICE**

- A. Approval to pay annual leave over and above maximum time allowable

Lisa Saucedo, Administrative Assistant, was requesting approval to pay annual leave of approximately 29.62 hours for an employee that went over and above the time allowable. The amount for this would be \$284.94 and the funds are available in the County Judge's 1998 budget. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve.

MOTION CARRIED.

(See Exhibit N)

**ITEM 6. HEALTH DEPARTMENT**

- A. Approval of change order #2 for G.A.S. Enterprise, Inc. - Pulmonary Clinic
- B. Approval of Budget Amendment out of General Fund in the amount of \$3,100.00, account #7-010-441-700-90 for change order #2 - Pulmonary Clinic
- C. Acceptance of Pulmonary Clinic Project and Approval of final application and certificate for payment for G.A.S. Enterprises
- D. Authorization for the County Auditor to process payment to G.A.S. Enterprises of final application and certificate for payment \$45,276.00 - Pulmonary Clinic

6/A

A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to approve change order #2 in the amount of \$3,100.00 with G.A.S. Enterprise Inc., for the Pulmonary Clinic.

MOTION CARRIED.

(See Exhibit O)

6/B

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize a budget amendment in the amount of \$3,100.00 for the change order for the Pulmonary Clinic.

MOTION CARRIED.  
(See Exhibit O)

6/C

A motion was made by Commissioner Arcaute and seconded by Commissioner Handy to authorize the acceptance of the pulmonary clinic project and approve the final application and certificate number five for final payment to G.A.S. Enterprises.

MOTION CARRIED.  
(See Exhibit O)

6/D

A motion was made by Commissioners Rosel and Handy and seconded by Commissioner Arcaute to authorize the County Auditor to process the final payment to G.A.S. Enterprises in the amount of \$45,276.00 for the pulmonary clinic.

MOTION CARRIED.  
(See Exhibit O)

## **ITEM 7. JUVENILE PROBATION**

- A. Report on the evaluation process that will be used to evaluate the Proposals for Qualifications submitted by architectural firms for the design of the Hidalgo County Juvenile Boot Camp Program
- B. Report on the selection of the Evaluation Committee that will evaluate and rank Proposals of Qualifications submitted by architectural firms

7/A

Israel "Buddy" Silva, Juvenile Probation Director, came before the Court to report on the evaluation process that will be used to

evaluate the Proposals for Qualifications submitted by architectural firms for the design of the Hidalgo County Juvenile Boot Camp Program. He noted that the RFPs were submitted on December 3, 1997 and one of the State requirements was for the selection of a committee to evaluate the proposals. After some discussion, no action was required on this item at this time.

NO ACTION.  
(See Exhibit P)

7/B

Mr. Silva then proceeded to announce the members that were selected for the evaluation committee. These were individuals who would be serving on the Juvenile Board Citizen's Advisory Committee and they would submit their final decision to this Commissioners' Court for final consideration. After some discussion, no action was taken on this item at this time.

NO ACTION.  
(See Exhibit P)

## **ITEM 8. COMPUTER DEPARTMENT**

- A. Approval to cancel contract for hardware maintenance with Centauri Computer
- B. Re-appropriate funds from 1997 Computer Dept. budget to 1998 Computer Dept. budget

8/A

Pete Rivera, Systems Administrator, came before the Court to request the cancellation of a contract for hardware maintenance with Centauri Computers, effective February 28, 1997. He stated that this would require a thirty day notice and the maintenance for the hardware would be taken care of under the new computer contract. A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.

(See Exhibit Q)

8/B

Mr. Rivera was also requesting the appropriation of funds from the 1997 Computer Department budget into the 1998 Computer Department budget in the amount of \$72,000.00. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

(See Exhibit Q)

### **ITEM 9. VETERANS MEMORIAL PROJECT**

- A. Re-appropriate funds from 1997 Veterans Memorial Project budget into 1998 Veterans Memorial Project budget

A motion was made by Commissioner Handy and seconded by Commissioner Garces to authorize the re-appropriation of funds from the 1997 Veterans Memorial Project budget into the 1998 Veterans Memorial Project budget in the amount of \$46,105.77.

MOTION CARRIED.

(See Exhibit R)

### **ITEM 10. SHERIFF'S DEPARTMENT**

- A. Approval of line item transfer from salaries (7-010-423-100-03) to room and board (7-010-423-100-78)
- B. Approval to transfer monies from the Sheriff's Office Acct. #7-010-421-100 to the Jail Acct. #7-010-423-100
- C. Approval to authorize the County Auditor to process payment of clothing allowance to non-uniform officers in the Sheriff's Dept., Jail and the South Texas Auto Theft Grant and make payment of same in conjunction with the regular payroll

D. Approval to appropriate the attached budget for the Sheriff's Investigation fund 104 Acct. The amount is based on an estimate of the fund balance (Unreserved) at Dec. 31, 1997

E. Approval of line item transfer in the Jail Commissary Acct. #7-795-423-200

10/A

A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve a line item transfer in the amount of \$57,225.08 for the housing of prisoner out of County.

**MOTION CARRIED.**

(See Exhibit S)

10/B

A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to authorize the transfer of funds in the amount of \$27,000.00 for medical and dental services; \$1,700.00 for room and board of prisoners; and \$92,713.50 for the room and board of prisoners. All of these from the Sheriff's Office account to the Jail account..

**MOTION CARRIED.**

(See Exhibit S)

10/C

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the County Auditor to process payment of clothing allowance to non-uniform officers in the Sheriff's Dept., Jail and the South Texas Auto Theft Grant and make payment of same in conjunction with the regular payroll.

**MOTION CARRIED.**

(See Exhibit S)

10/D

A motion was made by Commissioner Handy and seconded by Commissioner Garces to authorize the transfer of the fund balance

from the Sheriff's Investigation Fund 104 from 1997 be transferred into 1998.

MOTION CARRIED.

(See Exhibit S)

10/E

A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to approve a line item transfer in the amount of \$11.51 for the Jail Commissary account #7-795-423-200.

MOTION CARRIED.

(See Exhibit S)

**ITEM 11. BUILDINGS & GROUNDS**

A. Approval of budget amendment

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve a budget amendment in the amount of \$13,150.00 to pay for electric bills

MOTION CARRIED.

(See Exhibit T)

**ITEM 12. TAX OFFICE**

A. Tax refund to Foucheck-Meyer Co., in the amount of \$2,199.31

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve a tax refund to Foucheck-Meyer Co., in the amount of \$2,199.31.

MOTION CARRIED.

(See Exhibit U)

**ITEM 13. COMMISSIONER PCT. 1**

- A. Authorize exemption from competitive bidding and approve contracts with Quintanilla, Headley and Assoc., Inc. (Engineering Services)

13/A

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize an exemption from the competitive bidding process and approve an engineering contract with Quintanilla, Headley and Assoc., Inc., for the Delta West Subdivision project.

MOTION CARRIED.

(See Exhibit V)

**ITEM 14. COMMISSIONER PCT. 2**

- A. Budget amendment - J.P. Pct. #2 Pl. 1
- B. Budget amendment - J.P. Pct. #2 Pl. 2
- C. Budget amendment - Buildings & Grounds

14/A

After some discussion, a motion was made by Commissioner Arcaute and seconded by Commissioner Handy to approve a budget amendment in the amount of \$1,500.00 for the Justice of the Peace Pct. Two Place One for telephone and telegraph.

MOTION CARRIED.

(See Exhibit W)

14/B

A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to approve a budget amendment in the amount of \$5,000.00 for the Justice of the Peace Pct. Two Place Two for water, electricity, telephone/telegraph and contractual services.

MOTION CARRIED.

(See Exhibit W)

14/C

After some discussion regarding the present housing of the justices of the peace and how the procurement process would be handled, a motion was made by Commissioner Arcaute and seconded by Commissioner Handy to approve a budget amendment in the amount of \$15,500.00 for Buildings and Grounds for office space and utilities for the Justices of the Peace in Precinct Two until the procurement process is complete.

**MOTION CARRIED.**

(See Exhibit W)

**ITEM 15. COMMISSIONER PCT. 4**

- A. Approval to obtain service for two (2) cellular phones for Department Head and Asst. Foreman

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve two cellular phones for Precinct Four for the Department Head and the Assistant Foreman.

**MOTION CARRIED.**

(See Exhibit X)

**ITEM 16. COMMUNITY SERVICE AGENCY**

- A. Requesting approval of FY '98 CSBG Budget

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the FY '98 CSBG budget for the Community Service Agency in the amount of \$1,029,062.00.

**MOTION CARRIED.**

(See Exhibit Y)

**ITEM 17. URBAN COUNTY PROGRAM**

- A. City of Alamo - Year 10, 1997 Fire Station/Equipment Low Bid Award - Fire Bunker Gear
- B. City of Weslaco - Approval of Subrecipient Agreement with Valley Association for Independent Living Year 10 - 1997
- C. Pct. 3 - Approval of a construction contract with Mission Paving Company FPI Street Improvement Year 10
- D. American Red Cross - ESG - Approval of budget amendment for ESG 1996
- E. Emergency Shelter Grant Program - Approval YR 10 ESG Contracts
- F. City of Progresso - HOME - Housing Rehabilitation Program - Construction Contract Award

17/A

The City of Alamo was requesting approval of a bid award for fire bunker gear with Casco Industries, Inc. in the amount of \$18,360.00. A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to approve.

**MOTION CARRIED.**

(See Exhibit Z)

17/B

The City of Weslaco is requesting approval of a subrecipient agreement in with Valley Association for Independent Living in the amount of \$17,000.00. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve.

**MOTION CARRIED.**

(See Exhibit Z)

17/C

Precinct Three is requesting approval of a construction contract with Mission Paving Company, who is the sole bidder, in the amount of \$184,500.00. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve.

**MOTION CARRIED.**

(See Exhibit Z)

## 17/D

The American Red Cross was requesting a budget amendment under their ESG 1996 budget. The amendment is to move the funds from the Essential Services line item into the Maintenance and Operations line item. A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve.

MOTION CARRIED.

(See Exhibit Z)

## 17/E

Anthony Covacevich, Urban County Director, was requesting approval of the contracts under the Emergency Shelter Grant Program for Year 10. The contracts are with the following: American Red Cross in the amount of \$20,000.00; County of Hidalgo Community Service Agency in the amount of \$25,000.00; Mujeres Unidas/Women Together in the amount of \$103,250.00 and the Salvation Army in the amount of \$75,000.00. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve.

MOTION CARRIED.

(See Exhibit Z)

## 17/F

The City of Progresso is requesting approval of a construction contract award under their HOME/Housing Rehabilitation Program. The contract is with J.D. Villarreal in the amount of \$25,140.00 for two dwelling units. A motion was made by Commissioner Handy and seconded by Commissioner Garces to approve.

MOTION CARRIED.

(See Exhibit Z)

**ITEM 18. PURCHASING DEPARTMENT****A. HIDALGO COUNTY**

1. Authority to exercise sixty (60) day grace period contained in the original contract for Off-Highway Gas and Diesel so as not to have lapse in service
2. Authority to exercise sixty (60) day grace period contained in the original contract for MS-1 Asphalt so as not to have lapse in service

**B. COMMISSIONER PCT. 1**

1. Requesting authority to advertise for One (1) 1988 or Newer Roll-off Tandem Truck

**C. COMMISSIONERS PCT. 1 & 4**

1. Authority to exercise sixty (60) day grace period contained in the original contract for Pit Run Caliche so as not to have lapse in service

**D. BUILDINGS & GROUNDS**

1. Requesting approval of contract for Pest Control Services for Hidalgo County with the Terminix International Company L.P.

**E. JUVENILE PROBATION**

1. Requesting exemptions from competitive bidding requirements for Professional Services/Residential Programs and Two (2) Non-Residential Programs/Psychologists
2. Requesting approval of ten (10) residential program contract and two (2) non-residential programs/psychologists

**F. SHERIFF'S DEPARTMENT**

1. Requesting exemption from competitive bidding requirements for Professional Service/Architectural Services for "Remodeling of the Vestibules at Charlie and Delta Sectors"
2. Requesting approval of an architectural services contract for "Remodeling of the Vestibules at Charlie and Delta Sectors" for Hidalgo County Sheriff's Department with Alcocer & Associates
3. Recommendation as to bid award for "Pharmaceuticals/Infirmary Medical Supplies" for Hidalgo County Sheriff's to multiple vendors:

- a. Med-Aid Pharmacy for Prescription (Legend) Pharmaceuticals and
  - b. Edinburg Pharmacy for Non-Prescription (Non-legend) pharmaceuticals
4. Requesting approval of contracts for Legend and Non-Legend Pharmaceuticals to:
- a. Med-Aid Pharmacy for Prescription (Legend) Pharmaceuticals and
  - b. Edinburg Pharmacy for Non-Prescription (Non-legend) pharmaceuticals
- \*\*Contracts become effective February 1, 1998

18/A/1

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to exercise the sixty (60) day grace period contained in the original contract for Off-Highway Gas and Diesel so as not to have lapse in service.

MOTION CARRIED.  
(See Exhibit AA)

18/A/2

A motion was made by Commissioner Garces and seconded by Commissioners Rosel and Handy to exercise the sixty (60) day grace period contained in the original contract for MS-1 Asphalt so as not to have lapse in service.

MOTION CARRIED.  
(See Exhibit AA)

18/B

A motion was made by Commissioner Handy and seconded by Commissioner Garces to authorize the advertising for bids for One 1988 or Newer Roll Off Tandem Truck for Precinct One.

MOTION CARRIED.  
(See Exhibit AA)

18/C

A motion was made by Commissioner Garces and seconded by Commissioner Handy to exercise a sixty (60) day grace period contained in the original contract for Pit Run Caliche, for Precincts One and Four, so as not to have lapse in service.

MOTION CARRIED.  
(See Exhibit AA)

18/D

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a contract for pest control services for the County of Hidalgo with The Terminix International Company L.P. not to exceed \$6,432.00 per year.

MOTION CARRIED.  
(See Exhibit AA)

18/E/1

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the exemptions from the competitive bidding requirements under Professional Services/Residential Programs and two (2) Non-Residential Programs/Psychologists for the Juvenile Probation Department..

MOTION CARRIED.  
(See Exhibit AA)

18/E/2

A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to authorize the approval of ten (10) residential program contracts and two (2) non-residential programs/psychologists contracts for the Juvenile Probation Department.

MOTION CARRIED.  
(See Exhibit AA)

18/F/1

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the exemption from the competitive bidding requirements under Professional Service/Architectural Services for the "Remodeling of the Vestibules at Charlie and Delta Sectors" with Alcocer & Associates.

MOTION CARRIED.  
(See Exhibit AA)

18/F/2

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve an architectural services contract for the "Remodeling of the Vestibules at Charlie and Delta Sectors" for the Hidalgo County Sheriff's Department with Alcocer & Associates.

MOTION CARRIED.  
(See Exhibit AA)

18/F/3

A motion was made by Commissioner Handy and seconded by Commissioner Garces to award the bid for "Pharmaceuticals/Infirmary Medical Supplies" for Hidalgo County Sheriff's to the following vendors: Med-Aid Pharmacy for Prescription (Legend) Pharmaceuticals; and Edinburg Pharmacy for Non-Prescription (Non-legend) Pharmaceuticals.

MOTION CARRIED.  
(See Exhibit AA)

18/F/4

A motion was made by Commissioner Garces and seconded by Commissioner Handy to approve the contracts for Legend and Non-Legend Pharmaceuticals to Med-Aid Pharmacy for Prescription (Legend) Pharmaceuticals and Edinburg Pharmacy for Non-Prescription (Non-legend) pharmaceuticals. The contracts will be effective February 1, 1998.

MOTION CARRIED.  
(See Exhibit AA)

**ITEM 19. BUDGET AMENDMENTS - VARIOUS DEPARTMENTS**

A. Court Reporters

1. County Court at Law #1 and set salary
2. County Court at Law #2 and set salary
3. County Court at Law #3 and set salary
4. County Court at Law #4 and set salary
5. 92<sup>nd</sup> District Court and set salary
6. 93<sup>rd</sup> District Court and set salary
7. 139<sup>th</sup> District Court and set salary
8. 206<sup>th</sup> District Court and set salary
9. 275<sup>th</sup> District Court and set salary
10. 332<sup>nd</sup> District Court and set salary
11. 370<sup>th</sup> District Court and set salary
12. Jail Court and set salary
13. Auxiliary Court and set salary

B. 92<sup>nd</sup> District Court and set salary

C. 332<sup>nd</sup> District Court and set salary

D. District Attorney

E. Buildings & Grounds

F. Pct. #2 County Shop and set salary

G. Tax Office and set salary

H. County Court at Law #1 and set salary

19/A-C

A motion was made by Commissioner Garces and seconded by Commissioner Handy to authorize budget amendments and the setting of salaries for the court reporters as per court order from the Board of Judges for the various courts as presented in the exhibit.

MOTION CARRIED. (Judge Cuellar voted against the motion)  
(See Exhibit BB)

19/D-H

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the budget amendments as per the exhibit.

MOTION CARRIED.  
(See Exhibit BB)

## **ITEM 21. DISCUSSION WITH NO ACTION**

### **A. Tires**

Commissioner Arcaute indicated that as of December 31st, the County is being charged 85¢ for small tires and \$4.26 for large tires. Commissioner Handy noted that in Precinct One they presently have 2300 tires for disposition. This resulted in a discussion on how to alleviate this problem and or covering the cost for the disposal of these tires after which no action was taken on this item.

NO ACTION.

## **ITEM 20. COUNTY JUDGE'S OFFICE**

### **A. Ranking and selection of an architectural/engineering firm for the Hidalgo County New Detention Facility**

20/A

Commissioner Rosel opened the discussion and briefed the Court on what was done the previous week. He stated that they had met with the three finalists the previous week and they were interviewed. He felt that this needs to be based solely on qualifications. The three finalists are Prospectiva/ Lopez & Lopez Architects, Croslin & Associates and DiStefano/Santo Petro. The ranking was delayed a week so that the full Commission could be present to make this decision. Steve Crain then addressed the Court and stated that according to the statute, what is now supposed to be done is they must rank their architects by their qualifications. Once this is done, they can attempt to negotiate a contract with their first choice. If they are successful in the negotiations, then they can execute

the contract. However, if they are not successful, then they must go to the next choice and attempt to negotiate a contract with them and so on. The selection according to Mr. Crain and the statute must be made on qualifications solely. Commissioner Rosel stated that Prospectiva and Croslin & Associates added together did not add up to half of the experience of DiStefano/Santo Petro. Based on this issue and the interview that was had with these firms, he made a motion the previous week that they place DiStefano/Santo Petro first, Croslin & Associates second and Prospectiva third. He then asked Judge Cuellar what he thought of the firms upon review of the firms. Judge Cuellar stated that he did not necessarily feel that DiStefano was the top choice. A discussion ensued with regards to the choice. Lt. Roy Quintanilha was asked if a State jail was the same as a detention facility in the County. Lt. Quintanilha's reply was that it was not. Commissioner Handy suggested that maybe they should each rank them according to what they felt the order should be. Commissioner Rosel then suggested that if anything they set up a committee to meet and they will evaluate and come back with a recommendation. Commissioner Arcaute entered a motion to rank the firms in the order of Prospectiva first, Croslin and Associates second and DiStefano/Santo Petro Third. Another motion was introduced by Commissioner Handy to rank the firms as follows, Prospectiva number one, Di Stefano/Santopetro number two and Croslin & Associates number three. This motion could not be acted upon due to the motion that was on the floor by Commissioner Arcaute. After further discussion Commissioner Arcaute's motion died for lack of a second.

#### MOTION DIED FOR LACK OF SECOND.

A motion was then made by Commissioner Garces and seconded by Commissioner Rosel to rank the firms on qualifications as follows: DiStefano/Santo Petro, Croslin & Associates and Prospectiva, in that order. There was some discussion on behalf of the Commission as to the qualifications of the firms. During this discussion Commissioner Arcaute asked where these firms were from and the response was that DiStefano/Santo Petro were from Houston; Croslin & Associates were from Austin and Prospectiva was from Pharr. The motion was then put to a vote and Judge Cuellar called for a roll call vote.

MOTION FAILED (Commissioners. Rosel and Garces voted in favor;  
Judge Cuellar, Commissioners Arcaute and Handy  
Voted against;)

A motion was made by Commissioner Handy and was seconded by Commissioner Arcaute to rank Prospectiva first, DiStefano/Santo Petro second and Croslin & Associates third. The motion was again put to a roll call vote. There was more discussion on behalf of the Commission as far as the qualifications where it was stated that all these firms were qualified even the ones that were not selected as finalists. The motion was put to a vote and it carried.

MOTION CARRIED. (Judge Cuellar, Commissioners Arcaute and Handy voted in favor; Commissioners Rosel and Garces voted against)

#### **ADD. 1. CONSTRUCTION ON THE NEW JAIL - ACTION ITEM**

Lisa Saucedo, Administrative Assistant to the County Judge, informed the Court that they had received a call from the Commission on Jail Standards as to the status of the Hidalgo County Adult Detention Facility. They had also requested a copy of this meetings agenda in order to find out what action would be taken on this issue. A discussion ensued with regards to the cost of this project and whether it would be a new facility or a renovation/addition to the existing facility. The County Judge recommended that his office fax and send a copy of this agenda along with a copy of the minutes of any action taken during this meeting with regards to the adult detention facility. After further discussion no action was taken on this item at this time.

NO ACTION.

There being no further business to come before said Court, a motion was made by Commissioner Garces 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 the Commissioners' Court and the  
Drainage  
District #1 Board are hereby adjourned.**

**RENATO CUELLAR \_\_\_\_\_  
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 6<sup>th</sup> day of October, 1999.**

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

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

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