

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. APPROVAL OF CHECK REGISTER AND PAYMENT OF CLAIMS AND BILLS - COUNTY AUDITOR

ITEM 2. LINE ITEM TRANSFER - \$300.00

(See Exhibit A)

ITEM 3. PERMIT - CITY OF PHARR, LOS MARINEROS SUBDIVISION

(See Exhibit B)

The County Judge introduced the consent agenda and there being no changes, a motion was made by Commissioner Garces and seconded by Commissioner Arcaute to approve.

MOTION CARRIED.

REGULAR AGENDA

ITEM 1. APPROVAL OF CHANGE ORDER #1 - SASCON, INC. - HOME DEPOT PROJECT

Godfrey Garza, Drainage District Manager, came before the Court requesting approval of a change order #1 with Sascon Inc. for the Home Depot Project. The change order was for an additional eighty-five (85) days. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.

(See Exhibit C)

ITEM 2. APPROVAL OF TRANSFER OF MOBILE PHONE SERVICE

Mr. Garza explained that the next item was for approval to transfer mobile phone from Vona Walker to Ricardo Salazar. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.

(See Exhibit D)

ITEM 3. PURCHASING DEPARTMENT:

- A. Recommending award of bid on South Main/North main Junction Modification to low bidder

Aurelio Zapata, from the Purchasing Department, came before the Court recommending a bid award on the South Main/North Main Junction modification. He added that the low bidder was McAllen Construction with a bid of \$41,698.00. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.

(See Exhibit E)

There being no further business to come before the Drainage District #1 Board, a motion was made by Commissioner Arcaute and seconded by Commissioner Garces 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 AND BILLS - COUNTY AUDITOR

(See Exhibit F)

ITEM 2. LINE ITEM TRANSFERS:

- A. Commissioner Pct. 1 - Road & Bridge - \$67,000.00
- B. Commissioner Pct. 1 - Park - \$3,600.00
- C. Commissioner Pct. 1 - Lateral Roads - \$30,252.00
- D. Commissioner Pct. 1 - Administration - NO ACTION
- E. Commissioner Pct. 2 - County Wide Shop - \$1,000.00
- F. Buildings & Grounds - \$690.00 & \$350.00
- G. J.P. Pct. 3 Pl. 1 - \$350.00
- H. Sheriff's Office - Investigation Fund - \$7,000.00
- I. County Auditor - \$2,500.00
- J. Adult Probation - Supervision - \$3,000.00
- K. Purchasing Department - \$14,200.00

(See Exhibit G)

ITEM 3. URBAN COUNTY PROGRAM

- A. HOME First-Time Homebuyer Contract Agreement and Letter of Commitment to Mortgage Company - 5 families
- B. HOME - Homeowner Occupied Housing Applications - 3 Families

(See Exhibit H)

ITEM 4. RIGHT OF WAY

- A. Permits:
 - 1. Pct. 3 - North Alamo Water Supply
 - Encina Gas Pipeline Co.
 - 2. Pct. 2 - Southwestern Bell Telephone
 - 3. Pct. 4 - Southwestern Bell Telephone

(See Exhibit I)

ITEM 5. PURCHASING DEPARTMENT:

- A. Pct. 3 - Approval of Renewal of Lease with First United Methodist Church of Mission, Texas
- B. Computer Department - Approval of Equipment Maintenance Agreement with South Texas Communications, Inc.
- C. Hidalgo County - Approval of contract for Fire Extinguisher Inspection Services with Corky's Fire Extinguisher Sales and Services
- D. HIDTA - Approval of Service agreement for Storage with Valley DocuServe

(See Exhibit J)

ITEM 6. COUNTY CLERK

A. Approval of monthly report for the month of May, 1998 - \$110,636.47
(See Exhibit K)

The County Judge introduced the Consent agenda and upon asking if there were any changes it was reported that there would be no action on Items 2/B and 2/D. There was also a correction with regards to the account number on Item 2/H. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the Consent Agenda with the changes as presented.

MOTION CARRIED.

REGULAR AGENDA

ITEM 1. OPEN FORUM

No one had signed up for the open forum.

NO ACTION.

ITEM 2. PLANNING DEPARTMENT

- A. Waiver of Filing & Drainage Fees
 - 1. Eretz Shalom Subdivision - Pct. 3
- B. Variance Request
 - 1. Amado & Martha Reyna - Pct. 1
- C. Preliminary Plat Approval
 - 1. West Mission Estates - Pct. 3
- D. Approval of Line Item Transfer from salary to office equipment

2/A

Emilio Garcia, Chief Planner, came before the Court and announced that no action would be required on this item.

NO ACTION.
(See Exhibit L)

2/B

He then stated that the next item was for a variance request by Amado and Martha Reyna. This was for a subdivision in Precinct One and the request was to allow them to place a mobile home behind their home. After a brief discussion a motion was made by Commissioner Arcaute and seconded by Commissioner Garces to table this item until the Commissioner for Precinct One is present.

MOTION CARRIED.
(See Exhibit L)

2/C

Mr. Garcia reported that the next item was for a preliminary approval of West Mission Estates No. 2 Subdivision. The owner of this subdivision is Richard Ruppert and the firm of Quintanilla, Headley and Associates is the engineer. He added that the subdivision was inside the City of Mission's ETJ and there were several items that had been discussed at a meeting the previous day with the County Judge and Anthony Covacevich as well as a letter from the Office of the Attorney General stating that there were about eighteen to twenty corrections that needed to be done on this plat. Mr. Garcia indicated that he had talked to the engineer and he had no problem in correcting the problems in order to comply. The County Judge asked Mr. Ruppert if he had a problem in waiting a week in order to allow his office to discuss this matter with the Water Development Board and the response was that there was no problem. Commissioner Arcaute asked if they would have to acquire approval from the Water Development Board on each subdivision from now on and Anthony Covacevich explained that the problem they had with the Water Development Board and the Office of the Attorney General was with regards to the platting procedures. He indicated that they had sent a copy of the plat that was next in line for approval and submitted it to the Water Development Board to find out if it was in compliance. The Water Development Board then submitted it to the Office of the Attorney General for some guidance and they turned around and sent the plat back with a copy of some changes that are required on the plats. A discussion ensued with regards to the situation with the State concerning the interpretation of the rules with comments from Commissioner Garces, Anthony Covacevich and the County Judge. Commissioner Garces then introduced Mr. Alfonso Quintanilla, an engineer, who was also instrumental in working with Austin and the County in trying to get this issue settled. Mr. Quintanilla explained that he was requesting that this subdivision get approved on a preliminary basis and then work on the changes before final approval is requested. He did feel that the cities should get involved in this matter as most, if not all, of the grant monies was being utilized by the cities. After continuing discussion, a motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to give preliminary plat approval to West Mission Estates No. 2, subject to the changes

that need to be made as recommended by the State agencies that made the recommendations, which are minor and not major; he did note that this developer has complied with everything else. On a question to the motion, the County Judge made a recommendation that this Commission vote this motion down, as he felt that this matter was in the process of being settled. The motion upon being put to a vote, carried.

MOTION CARRIED. (County Judge voted against the motion)
(See Exhibit L)

2/D

Mr. Garcia explained that the next item was for approval of a line item transfer from salaries to office equipment in the amount of \$7,000.00. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit L)

ITEM 3. CONSTABLE PCT. 3

- A. Selection of three Deputy Constable Officers
- B. Approval of budget amendment
- C. Set Salary

3/A

Beto Peña, Precinct Three Constable, came before the Court request approval of the selection of three deputy constable officers. The names of the three deputies are Erasmo Garza, Joel Contreras and Eldon Dunn. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the selection as requested.

MOTION CARRIED.
(See Exhibit M)

3/B&C

Constable Peña indicated that no action would be required on these two items.

NO ACTION.
(See Exhibit M)

ITEM 4. URBAN COUNTY PROGRAM

- A. Budget Amendment - City of La Joya - Year 9 - 1996
- B. Approval of water-sewer construction contract with the 5125 Company - City of La Joya - Section 108 Loan Funds 1997
- C. City of Alamo - HOME Housing Rehabilitation Program - Construction Contract Award
- D. Public Hearing - La Joya Budget Amendment Year 9 - 1996

4/D

Anthony Covacevich, Urban County Director, stated that they would like to go to Item 4/D first as it was in relation to Item 4/A. this item called for a public hearing on the budget amendment for La Joya for Year 9. The amendment called for providing more money in fire protection, to reduce youth public services to \$25,000.00, to create the parks improvement (San Pedro) line item and the remainder of the items remain the same. The County Judge called the public hearing open to solicit comments regarding these changes. There being no comments the public hearing was closed.

NO ACTION.
(See Exhibit N)

4/A

Mr. Covacevich now proceeded to report that the City of La Joya was requesting approval of a budget amendment in their Year 9 budget, as indicated in the public hearing above. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit N)

4/B

The City of La Joya was also requesting approval of a water/sewer construction contract with the 5125 company. This was under their Section 108 Loan funds and it was in the amount of \$8,925.00. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit N)

4/C

Mr. Covacevich reported that no action would be required on this item at this time as they were taking the bids under advisement.

NO ACTION.
(See Exhibit N)

ADD. 1. URBAN COUNTY

A. Approval of Hidalgo County's Strategy to comply with the Model Subdivision Ordinance

Anthony Covacevich informed the Court that due to the tardiness of the submittal, they were not prepared to ask for any action on this item, but he wanted to go in to the five steps that were set up to comply with the Model Subdivision Regulations, as interpreted by the State. He added that this concern was divided into two main issues: the first being the compliance with the subdivision regulations, as interpreted by the State and the second issue involved the mediation of the action that was taken prior to this time on those subdivisions that were approved without water meters and/or septic tanks. He then proceeded to go through the steps and objectives along with some of the changes that were done previously. The first step was for immediate compliance and enforcement of the Hidalgo County subdivision regulations as interpreted by Mr. Pederson in his letter dated March 9th and letters dated yesterday and Friday.

The first objective would be to seek immediate compliance with all provision of the Hidalgo County Subdivision regulations and under this were several goals. These goals were the provision of a time frame and action that would allow for the amendment of the subdivision regulations, including approval from the Water Development Board on the platting requirements, to develop a checklist to ensure the compliance of the platting requirements, amend regulations to provide clarifying language and develop legal and contractual sample documents to assist in the platting process, which would involve wording on warranty deeds that would include septic tanks and water meter installation and the third year contract requested by the water suppliers.

The second step would be to inform the public on the compliance of the county Subdivision Regulations and under their objective two would be the dissemination of information to cities, subdividers, engineers and the public concerning subdivision processes. Under the goals, there was a goal to send out letters to all the cities, informing the cities of the compliance issue and the changes being implemented; to conduct workshops with subdividers, engineers, city staff and the public to provide technical assistance to be able to achieve compliance and to prepare a platting checklist containing all the items required and disseminate the checklist to all parties concerned.

Step Three would be to seek compliance on all recorded plats since the amendment of the subdivision regulations in March of 1991. The goals for this step would be to meet with the developers in order to seek compliance with all

those lots that have not been sold, concerning the requirements of installing water meters and septic tanks. This would involve the implementing and completing of an inventory of all rural subdivisions and lots to assess compliance to the regulations by identifying all sold, unsold, occupied, unoccupied and ownership of all lots and all services provided to each lot. He added that this inventory has been completed from 1991 to 1995. The next goal would be to conduct one-on-one meetings with developers with unsold lots and provide technical assistance to assist them with compliance. Abstract identity of all sold rural lots needing installation of water meters and septic tanks and prepare a financing plan to implement compliance on all lots that need compliance.

Step Four would be to provide for the compliance of water and wastewater provision of the subdivision regulations on all recorded lots presently occupied. This would be to develop a financing plan, identifying sources of revenue and expenditures based on the results of the inventory report and then develop contractual arrangements with water providers for the installation of water meters and payment of membership fees. It would then entail the bidding out of the installation of septic tank systems by licensed contractors. Commissioner Arcaute asked about how this cost would be handled and Mr. Steve Crain explained that they had not looked into it. A discussion then ensued on this issue with comments from Commissioner Garces and Anthony Covacevich and the County Judge.

Step Five would be to increase the capacity of the County to enforce the provisions of the subdivision regulations, in order to provide a more comprehensive program of subdivision regulation enforcement. The goals would be to provide two field inspectors per precinct and also develop a new organizational structure with job descriptions for all planning staff to show how that would function. There was a change that was a recommendation to combine the services of the Health Department inspection of septic tanks along with the Planning Department.

A discussion then ensued with comments from Commissioner Rosel, Commissioner Garces and Anthony Covacevich which included some history on the subdivision regulations as well as the what has transpired with the Water Development Board. The Commissioners then proceeded to solicit comments from the public.

Edgar Ruiz came before the Court and stated that by the action of this Commissioners' Court on the preliminary plat approval of West Mission Estates No. 2, they were sending a signal to the developers that they are requiring everything that the Attorney General and the Water Development Board are asking for in so far as plat approvals. He felt that because of this they were establishing a precedence where the developers would begin to do it this way in order to acquire preliminary plat approval from this Court without amending the subdivision regulations. He other concern was that there were a lot of subdivisions which had acquired preliminary approval under the existing

subdivision regulations which had complied that were still awaiting final plat approval. Mr. Ruiz felt that because of this there was a freeze on any development, present or future and this would have an economic impact on this community because of a lack of indecision by this Court. He added that there was no problem with the developers as they were willing to comply. Commissioner Arcaute indicated that, on a personal note, this was the reason why he supported the preliminary plat approval of the subdivision as noted.

Mr. Adam Daniec also came up and had a concern regarding the septic tanks. He noted that as per a study by the State of subdivisions between 1995 and 1997 there were only thirty lots that were lacking in septic tanks. Mr. Daniec continued by saying that he had driven around the County and had found three lots with outhouses. These lots had septic tanks in place and upon talking to the people he found that the only problem was the hook-up from the bathroom to the septic tank. He also felt that the problems with the developers were minor and they were willing to comply. His other concern was with the people who bought lots and did not build on them until years later; he did not see why an empty lot would require a septic tank or a water meter. Commissioner Garces commented on the study by the State and stated that most of these subdivision that they rated had only acquired a preliminary approval. Emilio Garcia, Chief Planner, indicated that the State auditors had only looked at forty subdivisions county-wide. There being no further discussion no action was needed on this item.

NO ACTION.
(See Exhibit O)

EXECUTIVE AGENDA

ITEM 1. CLOSED SESSION

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.071 and 551.074 to discuss the following:

B. Litigation:

1. Hidalgo County -vs- Reginald Adams et al

The County Judge and Commissioners went into closed session accompanied by Mr. Steve Crain, the County Legal Counsel and Danny Gurwitz, legal counsel on this matter.

NO ACTION.

ITEM 2. OPEN SESSION

B. Litigation

1. Hidalgo County -vs- Reginald Adams et al

2/B

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to instruct the legal counsel Danny Gurwitz to proceed and seek a trial date regarding Hidalgo County -vs Reginald Adams et al.

MOTION CARRIED.

(See Exhibit P)

REGULAR AGENDA

ITEM 5. DISTRICT CLERK'S OFFICE

A. Approval of budget amendment

- B. Authorization for Auditor to pay Valley DocuServe - invoice BX0198

5/A

Aurelio Zapata came before the Court and stated that the request would be out of their Records Management account. The amount of the budget amendment is \$15,000.00. A motion was made by Commissioner Garces and seconded by Commissioner Rosel and Arcaute to approve the request as presented.

MOTION CARRIED.

(See Exhibit Q)

5/B

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to authorize the County Auditor to pay invoice BX0198 from Valley DocuServe in the amount of \$9,454.50.

MOTION CARRIED.

(See Exhibit Q)

ITEM 6. COMMISSIONER PCT. 4

- A. Authorization to appropriate unreserved fund balance into 1998 Road & Bridge accounts

A motion was made by Commissioner Garces and seconded by Commissioner Rosel to appropriate the 1997 unreserved fund balance into the 1998 Road and Bridge Accounts as follows: #36 - \$50,000.00; #91 - \$83,378.27.

MOTION CARRIED.
(See Exhibit R)

ITEM 7. JUVENILE PROBATION

- A. Approval of settlement agreement with Copy Star processing
- B. Approval of budget amendment

7/A

Buddy Silva, Juvenile Probation Director, came before the Court requesting approval of a settlement agreement with Copy Star processing. He added that this was an agreement that had to do with the copy machine that leased through this firm. The agreement had been approved by Commissioners' Court back in 1996 and the company had failed to execute the agreement as approved. This matter was being settled with the negotiation of a new agreement under the same amount as the original. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit S)

7/B

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a budget amendment in the amount of \$11,621.88 in order to cover the cost of the agreement with Copy Star.

MOTION CARRIED.
(See Exhibit S)

ITEM 6. COMMISSIONER PCT. 4

- B. Request to address and possibly take action on Regulatory Compliance Item Recommendations on the County landfill(s)

Commissioner Garces indicated that this was in reference to the landfill situation with the County. He then introduced Mr. Brian Dudley, who was with Rust Environment and Infrastructure, Inc. This firm was currently under contract

with the County in acquiring closure at the Precinct Four landfill. Mr. Dudley mentioned that he would like to give Commissioners' Court a report on some recent changes to the closure of the Precinct Four landfill and shredder facilities that are being required by the Texas Natural Resource Conservation Commission (TNRCC). The report had to do with the closure issues such as the type of design needed, groundwater monitoring and the issue of tire disposal. After the presentation Commissioner Garces recommended that he would like to for this Rust Environmental to utilize the monies that they have budgeted for this project. He then announced that no action was required on this matter.

MOTION CARRIED.
(See Exhibit T)

ITEM 8. COMMISSIONER PCT. 1

- A. Approval of rural fire contract with the City of La Villa
- B. Authorization to accept contributions from residents of Delta West Subdivision
- C. Authorization to appropriate funds

8/A

Raul Lozano, Precinct One Administrative Assistant, came before the Court requesting approval of a rural fire contract with the City of La Villa. He added that the City of La Villa has never had a rural fire contract and they had complied with all requirements of the Fireman's' Association and they have met with the neighboring City of Edcouch. He added that Luciano Ozuna, the City Manager for the City of La Villa was present if they should have any other questions. A discussion ensued with regards to liability issue and if the fees were the same as the other contracts. A motion was then made by Commissioner Arcaute and seconded by Commissioner Rosel for the sake of discussion to approve the contract. The discussion continued with comments from Luciano Ozuna, Commissioner Garces and Steve Crain. Mr. Crain noted that his concerns were with regards to the insurance requirements and how to pay the bills under this kind of contract. He added that he did not feel there was a way to verify that the services are being performed. Commissioner Rosel stated that there was no contract of this kind in place at this present time and he felt that this would set a precedence with other entities. The discussion continued with the language in the contract and the possible liability to the County and the verification of service. A friendly amendment was made to the motion that they approve the contract for sixty days with a thirty day continuance thereafter. The amendment upon being put to a vote carried. The motion was then put to a vote and it also carried.

MOTION CARRIED.
(See Exhibit U)

8/B

A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to accept a contribution from the residents of Delta West Subdivision in the amount of \$5,391.50.

MOTION CARRIED.
(See Exhibit U)

8/C

A motion was made by Commissioner Garces and seconded by Commissioner Arcaute to appropriate the \$5,391.50 into account #8-030-431-210 item #37.

MOTION CARRIED.
(See Exhibit U)

ITEM 9. HEAD START PROGRAM

- A. Requesting exemption from competitive bidding requirements for Professional or Personal services to provide technical support assistance in final draft preparation of grant application
- B. Requesting approval of Professional of Personal contract with Mr. John Whitcamp for an amount not to exceed \$5,000

Edmundo Garcia, Head Start Vice-Director, came before the Court and indicated that this item had been presented the previous week. Since then he had talked to the Purchasing Director and he had also included additional information on Mr. John Whitcamp. He was at this time requesting approval of the exemption and the contract. Paul Vazaldua, Administrative Assistant to the County Judge, stepped up to the podium and recommended that no action be taken on this item at this time. He added that there was still no evidence the agency has properly procured for such services. He also had a problem with whether grant writing was considered a professional service as per the Texas Government Code and if it this was properly procured. Commissioner Arcaute asked how hard it was for somebody to fill out a grant application and Mr. Garcia explained everything that it entailed. After further discussion Commissioner Arcaute recommended that no action be taken at this time.

NO ACTION.
(See Exhibit V)

ITEM 10. HIDTA TASK FORCE

- A. Approval to create 2 positions
- B. Approval of budget amendment (project income account)
- C. Set Salary

10/A

Celia Haro came before the Court requesting approval of the creation of two additional investigator positions. She indicated that this would require a budget amendment from their project income in the amount of \$77,184.00. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to approve the creation of the two positions as presented.

MOTION CARRIED.
(See Exhibit W)

10/B

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a budget amendment from program income in the amount of \$77,184.00.

MOTION CARRIED.
(See Exhibit W)

10/C

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to set salaries at \$27,309.50 each per year.

MOTION CARRIED.
(See Exhibit W)

ITEM 11. COMMISSIONER PCT. 2

- A. Consider and approve the dissolution of the Interlocal Cooperation Agreement (ICA) with the City of Pharr

Paul Vazaldua informed the Court that in May of 1997 the County of Hidalgo entered into an interlocal cooperation agreement with the City of Pharr to assist with the improvements of "I" Road, from Polk Avenue to U.S. Business 83. Since then the funds allocated for this agreement have yet to be expended and the proposal is to dissolve the agreement and allocate these funds on priority County projects. Commissioner Arcaute indicated that upon reading the

agreement he was made aware that there was no provision for either party to be able to dissolve the agreement. He was asking for some direction from the Court as to how to go about taking care of this problem. Commissioner Arcaute indicated that he maybe they should advise the City of Pharr as to how this Commissioners' Court feels about this action. Commissioner Garces mentioned that if there was a dire need for this project then the project should have already been started. Commissioner Arcaute asked Steve Crain whether the latter part of the first paragraph would take care of the "out" clause. Mr. Crain did not believe that this would take care of a termination clause. Commissioner Rosel announced that all he was wanting to do was de-obligate those funds and provide in-kind services sometime later in the future in the same amount and Commissioner Arcaute concurred. It was then suggested that they re-negotiate the contract as recommended by Commissioner Rosel. After a brief discussion Commissioner Arcaute indicated that no action was required.

NO ACTION.
(See Exhibit X)

ITEM 12. COUNTY JUDGE

- A. Approval of contract award for Public Health Services from the Texas Department of Health

Paul Vazaldua informed the Court that this was on a contract for \$9,011.00 for the Rio Grande Regional Advisory Council on Trauma and \$5,198.00 for public health services. A motion was made by Commissioner Garces and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit Y)

ITEM 13. COMMISSIONER PCT. 3

- A. Authorization to approve change order extending existing contract with Rust Environment & Infrastructure for additional engineering services

Brian Dudley explained that this was on a change order to the existing contract with Rust Environment and Infrastructure, Inc. for Precinct Three. The contract was for the construction of a new landfill cell and also provide construction quality insurance service during the construction of the cell and provide assistance during the bid process. He added that there were several tasks that were accomplished on modifying the permit to increase the height of the landfill and final negotiations on a supplement environmental program that the

County entered into with the State and several other activities. Mr. Dudley indicated that all the tasks have been accomplished and this change order would allow them to continue to work with the County throughout the remainder of this year in order to fulfill approximately five items with regards to the landfill. The amount of the change order would be on an hourly rate basis no to exceed \$12,500.00. Commissioner Rosel explained that he had not had an opportunity to review the change orders that are being requested and he would recommend that no action be taken at this time.

NO ACTION.
(See Exhibit Z)

ITEM 14. PURCHASING

A. HIDALGO COUNTY

1. Requesting clarification on "lease term" for "Rental of Office Space for J.P.'s"
 - a. As originally stated on specifications for quotes is a (3) year term or
 - b. Alternatively, as a result of open discussion at Commissioners' Court meeting of 5/5/98 "or until such term times as housing by Hidalgo County is ready for occupancy."
 - c. Requesting approval of "draft" Lease Agreement for "Rental of Office Space for J.P.'s"

B. HIDALGO COUNTY - COUNTY WIDE SHOP

1. Recommending the recession of bid award to Bert Ogden Motors as approved at Commissioners' Court meeting of March 3, 1998 for "One (1) 1997 or newer extended cab ½ ton Pick-up Truck" due to inability of vendor to meet order deadline with GM
2. Requesting authority to advertise for "One (1) 1999 Extended Cab ½ Ton Pick-Up Truck"

C. HIDALGO COUNTY PRECINCT NO. 2

1. Requesting authority to advertise for one (1) new Motorgrader

D. HIDALGO COUNTY PRECINCT NO. 1, 2 & 3

1. Requesting approval of contract for "Hot Mix-Cold Laid - Hidalgo County" with Valley Caliche Products, Inc.

E. HIDALGO COUNTY PRECINCT NO. 3

1. Requesting authority to advertise for One (1) used Rubber Tired Excavator"
2. Requesting approval of extension of contract for "Temporary Emergency Medical Services with Med-Care for a period of (3)

calendar days so as not to have a lapse in service while quotation process is completed for a new short term contract

3. Discussion and action on award for "Temporary Emergency Medical Services" based on quotations received for same

F. HIDALGO COUNTY SHERIFF'S DEPARTMENT

1. Requesting exemption from competitive bidding requirements for Professional Nursing Services
2. Requesting approval of Professional/Nursing Services contract with Diana Cano, LVN with the Hidalgo County Sheriff's Department

14/A/1

Aurelio Zapata, from the Purchasing Department, came before the Court requesting clarification on the lease terms for the rental of office space for the Justices of the Peace. He added that they were asking for clarification with regards to item 14/A/1/a and item 14/A/1/b. Commissioner Rosel stated that they were asking for a lease agreement where the County could get out at any time that they wanted. Commissioner Garces had a question and he asked that Raul Hernandez come to the podium. The Commissioner indicated that Mr. Hernandez has been right in the center of trying to work something out with the Extension Service or make it more of a law enforcement justice center. Commissioner Garces stated that Mr. Hernandez was trying to facilitate the housing of the Justices of the Peace where the Extension Service is presently housed. Commissioner Garces also mentioned that they would also have to look at taking away the rental allowance from the JP's budgets. Commissioner Arcaute asked about the site at Precinct Two and with some renovation he felt that it was adequate to house at least one JP. Mr. Zapata had a concern with the old OET building and whether it met ADA requirements and Mr. Hernandez stated that he had a report on how much it would cost to get the County buildings up to par. Mr. Zapata asked if the clarification was to go with item 14/A/1/b and the response was that it was correct. Mr. Zapata then moved on to Item 14/A/1/c and he was requesting approval of a "draft" lease agreement for the rental of office space for the JP's. The terms of the "draft" were for twelve months following commencement date and to be extended for one additional year at the option of the County. Commissioner Rosel asked if it was at a cost of \$1.00 per square foot for a maximum of 800 square feet and Mr. Steve Crain explained that they had left this blank, but Mr. Zapata agreed that this was the amount agreed to at a previous meeting of Commissioners' Court. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the draft lease agreement for the rental of office space for the JP's, as presented.

MOTION CARRIED.
(See Exhibit AA)

14/B/1

Mr. Zapata reported that they were requesting the recession of bid award to Bert Ogden Motors due to GM changing the deadline on this particular local vendor. A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit AA)

14/B/2

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to authorize the advertising for bids for one 1999 Extended Cab ½ Ton pick-up truck for the County Wide Shop.

MOTION CARRIED.
(See Exhibit AA)

14/C

Mr. Zapata announced that no action was needed on this item at this time.

NO ACTION.
(See Exhibit AA)

14/D

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve a contract for "Hot Mix-Cold Laid-Hidalgo County" with Valley Caliche Products, Inc.

MOTION CARRIED.
(See Exhibit AA)

14/E/1

Mr. Zapata announced that no action would be required on this item at this time.

NO ACTION.
(See Exhibit AA)

14/E/2

A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel to approve the extension of contract for "Temporary

Emergency Medical Services with Med-Care for a period of three calendar days so as not to have lapse in service.

MOTION CARRIED.
(See Exhibit AA)

14/E/3

Mr. Zapata indicated that it had been requested by the sole bidder to furnish additional information so that they could try to justify their quote. He stated that the quote by Med-Care was for \$25,000.00 per month and there was a breakdown of the cost in the back-up. Mr. Zapata pointed out that they had submitted a cost of calls for a four month period as well. A discussion ensued with regard to the setting up of a medical district for Precinct Three. Commissioner Rosel pointed out that some time back this Court had gone out for bids and had received a bid of \$120,000.00 per year and the reason this was not approved was because they did not have a performance bond. Now they had a quotation in with a performance bond and it was going to cost this County \$25,000.00 per month. Mr. Zapata added that this firm was also asking that they be housed by the city, but the city cannot house them so this may raise this cost somewhat. Commissioner Arcaute pointed out that he would no approve a budget amendment from the General Fund to pay for these services but he would approve of a transfer of monies from the Precinct Three budget into the General Fund to pay for it. Mr. Vazaldua noted that a reason for the high cost was due to the high number of uninsured people in the western part of the County. After further discussion, a motion was made by Commissioner Rosel, under protest, and seconded by Commissioner Arcaute to award to Med-Care for the temporary medical services for Precinct Three for a maximum amount of ninety days at an enormous clip of \$25,000.00 per month.

MOTION CARRIED. (Commissioner Garces voted against the motion.)
(See Exhibit AA)

15/F/1

Mr. Zapata asked that this Court consider Add. 2 along with this item as they were related. The Hidalgo County Sheriff's Department was requesting an exemption from competitive bidding requirements for professional nursing services to Diana Cano, Javier Castillo and Margot Rivera. Mr. Zapata explained that there has been a revision on the per hour rate from \$12.50 to \$14.00. A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to approve the request as presented.

MOTION CARRIED.
(See Exhibit AA)

15/F/2

A motion was made by Commissioner Arcaute and seconded by Commissioner Garces to approve a professional nursing services contract with Diana Cano, Javier Castillo and Margot Rivera for the Sheriff's Department.

MOTION CARRIED.
(See Exhibit AA)

ITEM 15. JAIL PROJECT

A. Contract Negotiations report

Paul Vazaldua informed the Court that he had handed out a copy of a letter that would be sent to the Commission on Jail Standards and he went on to explain the back-up that accompanied the letter. He also noted that the negotiating committee would be meeting with DiStefano and Santo Petro on June 9th and they would schedule any subsequent meetings if necessary.

NO ACTION.
(See Exhibit AB)

EXECUTIVE AGENDA

ITEM 1. CLOSED SESSION

Commissioners' Court may go into Closed Session pursuant to Chapter 551, Texas Government Code, Section 551.071 and 551.074 to discuss the following:

A. Personnel

1. Review and select top applicants for Head Start Program Director

The County Judge and Commissioners went into closed session accompanied by Mr. Steve Crain, the County Legal Counsel and Paul Vazaldua.

NO ACTION.

ITEM 2. OPEN SESSION

A. Personnel

1. Review and select top applicants for Head Start Program Director

A motion was made by Commissioner Garces and seconded by Judge Cuellar to select Hernan Gonzalez, Santiago Alaniz, Arnoldo F. Benavidez, Guadalupe Arevalo, J.D. Villarreal, Irma Estela Peña and Maria Isabel Salinas as the top applicants to be interviewed. The motion upon being put to a vote failed.

MOTION FAILED. (Commissioners Rosel and Arcaute voted against the motion; Commissioner Handy was not present.)

A motion was then made by Commissioner Rosel and seconded by Commissioner Arcaute to select Hernan Gonzalez, Santiago Alaniz, Arnoldo F. Benavidez, Guadalupe Arevalo, J.D. Villarreal and Maria Isabel Salinas as the top applicants to be interviewed. The motion upon being put to a vote carried.

MOTION CARRIED. (Commissioner Garces voted against the motion; Commissioner Handy was not present.)

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

MOTION CARRIED.