

DRAINAGE DISTRICT #1

The Honorable Renato Cuellar, County Judge, called the Drainage District #1 meeting to order, whereupon the following proceedings were had, to-wit:

The County Judge announced that Commissioners Arcaute and Handy were present and with himself included, this constituted a quorum.

CONSENT AGENDA

ITEM 1. APPROVAL OF CHECK REGISTER AND PAYMENT OF CLAIMS AND BILLS – COUNTY AUDITOR

ITEM 2. LINE ITEM TRANSFER

(See Exhibit)

The County Judge introduced the Consent Agenda and asked if there were any changes. There being none, a motion was made by Commissioner Arcaute and seconded by Commissioner Handy to approve.

MOTION CARRIED.

REGULAR AGENDA

(Commissioner Rosel came in during the discussion of Item 1.)

ITEM 1. APPROVAL TO ADVERTISE FOR OFF-SITE EXCAVATION FOR THE COMMUNITY OF MADERO - DRAINAGE IMPROVEMENT

Godfrey Garza, Drainage District Manager, came before the Board requesting approval to advertise for off-site excavation for the Community of Madero drainage improvements. He stated that they have already completed about 80% of this project and they would like to advertise to advertise for the excavation of approximately ½ mile to complete this ditch. A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.

(See Exhibit)

ITEM 2. APPROVAL TO ADDRESS COMMISSIONERS' COURT REGARDING CIVIL SERVICE FOR DRAINAGE DISTRICT EMPLOYEES

Mr. Garza stated that the next item was to request approval to address Commissioners' Court regarding Civil Service for Drainage District employees. He said that the Drainage District had previously been allowed the opportunity to join the Civil Service when it was implemented in the County and at that time the employees had not wished to join. During the past months they have changed their minds and he allowed those who were interested to sign a petition and approximately 90% of the employees signed the petition. He stated that he then presented the petition to the Civil Service Commission and they said that they had no problem, however the Drainage District Board and the Commissioners' Court had to approve this request in the form of a contractual agreement. Commissioner Arcaute asked if the employees were aware of what Civil Service was and Mr. Garza indicated that they had had presentations and has requested information from the Civil Service Committee. Commissioner Arcaute asked Mr. Garza what the employees had been told were the advantages of being under Civil Service and Mr. Garza replied that basically the only advantage they could see was job security. Commissioner Arcaute asked if there was anyone from Civil Service present and there being no one, he asked legal counsel whether we had an at will policy at this time. Steve Crain, County legal counsel, replied that we did but it was subject to the procedures in the Civil Service manual. A brief discussion ensued between the Commissioners regarding the effectiveness of the present Civil Service program. The County Judge commented that being that over eighty percent had shown interest he did not see why they should not approve this request. Commissioner Rosel pointed out that this would depend on what information was presented to these employees. Mr. Garza added that the District presently has employment and dismissal procedures similar to those in place under Civil Service. Commissioner Arcaute asked Esther Cortez, the Personnel Director, if there were any advantages to having Civil Service versus the policies that were in place previously and she responded that it had advantages in the hiring process. During the discussion, Commissioner Arcaute announced that he did not feel that Civil Service should have ever been implemented. He also asked Mr. Crain if a similar problem would arise if this Board voted against this request. Mr. Crain stated that he would have to look into this matter, because they were a separate legal entity and what they were doing was asking the County to permit them to join the County's Civil Service on their own. After further discussion, no action was recommended at this time.

NO ACTION.
(See Exhibit)

ADD. 1. REVIEW FOR CONSIDERATION OF DRAINAGE PLAN FOR MISSION INDEPENDENT SCHOOL DISTRICT

Mr. Garza informed the Court that this item was for consideration of a drainage plan for Mission Independent School District. He stated that they had a situation

develop where the School District had presented a plat for the Drainage District and the County about a year ago. This was in regards to a school that was being built close to the intersection of State Highway 107 and Conway. A part of this school fall under a "Zone A" and the Drainage District had agreed to permit the development of the subdivision if a drainage line was installed from the school site to a drain ditch about $\frac{3}{4}$ of a mile away. This was agreed to and the School District proceeded in the construction. During the past months they have come back because they have had trouble in acquiring three individual parcels to get the easement all the way from the school site to the drain ditch. At this point they are ready to open the school and they have not installed the off-site drain line and they are requesting that the Drainage District consider that they provide sufficient detention on-site to do away with putting the pipeline off-site. He felt that this project had already been agreed to be done a certain way and he was willing to allow that they do the on-site but only on a temporary basis and that the School District complete the installation of the drain line within six months. After further discussion, a motion was then made by Commissioner Rosel to approve the request from the Mission Independent School District, and also with the recommendation by the Drainage District Director. Commissioner Handy seconded the motion and Commissioner Rosel asked the Court what the legality was in this matter, especially if the drain line was not installed within the time specified. Steve Crain, the County legal counsel, indicated that legally this would be impossible for the County to enforce. He then asked Fred Kurth, from Melden & Hunt, whether he had been retained to complete this project and Mr. Kurth stated that the School District knew that it was in their best interest to install the drain line and he went on to give some specifics about the construction. Commissioner Rosel directed that a letter be sent to the Mission Independent School District specifically outlining the conditions that were discussed. Mr. Garza then recommended that if the School District is unable to acquire the easements required, if they would entertain that the Drainage District get involved in the condemnation of those three parcels to install the storm sewer lines. Commissioner Arcaute asked legal counsel why this action would be able to be enforced being that there was a contract in place. Mr. Crain responded by saying that if the enforcement of this document shut the school down in six months then what. Mr. Garza also recommended for the School District to place the cost for the line and the acquisition of the property on deposit with the Drainage District and if it was not done on time then the Drainage District could complete the project. Mr. Crain indicated that if they decided to take this action, they this Commissioners' Court should approve an agreement to this effect rather than trying to get it done within the six months. Commissioner Rosel amended his motion to state that they approve an agreement that would be subject to certain conditions; 1) that the money would be placed in escrow for the materials for the installation of pipe and acquisition of the easements. Commissioner Handy stated that her second would still stand and upon putting the motion to a vote, it carried.

MOTION CARRIED. (COMMISSIONER ARCAUTE VOTED AGAINST THE MOTION)
(See Exhibit)

ITEM 3. PURCHASING DEPARTMENT

- A. Recommending award of bid for Two (2) New Tractors with Boom Mower to lowest qualified bidder meeting all of the specifications

Martha Salazar, County Purchasing Director, came before the Court to recommend the awarding of bid for "two (2) new tractors with boom mower" to the lowest qualified bidder meeting all specifications. She stated that her office had received four bids: Nueces Power and Equipment who had submitted a no bid; Anderson Equipment with a bid of \$49,489.00; H & B Equipment Services with a bid of \$48,110.00 and Amigo Implement Company at a bid of \$43,495.00. She indicated that H & B Equipment Services and Amigo Implement Company did not meet specifications. She was recommending the low bid meeting all specifications of Anderson Equipment at a bid of \$49,489.00. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit)

There being no further business to come before the Drainage District #1 Board, a motion was made by Commissioner and seconded by Commissioner 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

ITEM 2. LINE ITEM TRANSFERS

- A. Commissioner Pct. #2 - Paved/Unpaved
- B. Commissioner Pct. #2 - Parks
- C. Commissioner Pct. #2 - County Wide Shop
- D. Juvenile Probation
- E. Buildings & Grounds

- F. Constable Pct. #3
- G. Constable Pct. #4
- H. Library System
- I. Computer Department
- J. Sheriff's Department
- K. Adult Probation - Restitution Center
- L. Health Department - Administration
- M. TX D.P.S.

(See Exhibit)

ITEM 3. URBAN COUNTY

- A. HOME - First Time Homebuyer Contract Agreement and Letter of Commitment to Mortgage Company - 1 Family
- B. HOME - Homeowner Occupied Housing Rehab Application - 1 Family

(See Exhibit)

ITEM 4. DISTRICT CLERK'S OFFICE

- A. Approval of Fee report for the following months
 - 1. May 1998 \$60,889.64
 - 2. June 1998 \$76,715.69

(See Exhibit)

ITEM 5. RIGHT OF WAY DEPARTMENT

- A. Permits
 - 1. Pct. #1
 - a. North Alamo Water Supply
 - 2. Pct. #2
 - a. North Alamo Water Supply
 - 3. Pct. #4
 - a. North Alamo Water Supply - 2" water line to cross 100' east of "I" Rd. from its intersection with Wisconsin RD.
 - b. 2" water line to cross 800' west of Davis Rd. from its intersection with Ramseyer
 - c. North Alamo Water Supply - 2" water line to cross Ramseyer Rd. & Doolittle
 - d. North Alamo Water Supply - 2" water line to 500' south of FM 1925 and its intersection with Rogers Rd.
 - e. Southwestern Bell Telephone
 - f. Anaya Welding & Lease Inc. - run 3" gas line north of FM 1925 and its intersection with Mile 19
 - g. Anaya Welding & Lease Inc. - start 1 mile from intersection of Doolittle & Ingle Rd. and lay a 3" gas line to go along south side of Ingle Rd.

The County Judge introduced the Consent Agenda and asked if there were any changes. There being none, a motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to approve.

MOTION CARRIED.

REGULAR AGENDA

ITEM 1. OPEN FORUM

ITEM 2. TAX OFFICE

- A. Approval of tax refund for the following
 1. Thelma Lanfranco PD by Citicorp Mortgage
 2. Anil & Martha B. Wadhvani PD by IBC

2/A/1

Armando Barrera, Tax Assessor/Collector, came before the Court requesting approval of a tax refunds for Thelma Lanfranco Pd by Citicorp Mortgage in the amount of \$2,728.28. A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to approve the request as presented.

MOTION CARRIED.
(See Exhibit)

2/A/2

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve a tax refund for Anil & Martha B. Wadhvani PD by IBC in the amount of \$3,035.79.

MOTION CARRIED.
(See Exhibit)

ITEM 3. COMMUNITY SERVICE AGENCY

- A. Approval to submit HUD Homeless Assistance Application

Maribel Navarro-Saenz, Community Service Agency Executive Director, came before the Court requesting approval to submit an application to HUD for Homeless Assistance. She stated that this was a consolidated application and it was the "first comprehensive multi-agency attempt to provide supportive housing for longer than three months for homeless residents to be able to stabilize and transition into self-sufficiency". She added that this application included a consolidated effort with the

Hidalgo County Community Council, Mujeres Unidas/Women Together, Tropical Texas MH/MR, the Lower Rio Grande Valley Health Management Corporation/Milagros Health Clinic and the Hidalgo County Community Service Agency. If approved, this grant would bring in \$2,034,150.00 into the agency and each agency would be responsible to HUD directly with the Community Service Agency being the lead agency and a total of approximately \$6 million would be brought into the County through this consolidation. Ms. Navarro-Saenz stated that there was no match required because it did not include major construction. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to approve the application for HUD Homeless Assistance.

MOTION CARRIED.
(See Exhibit)

Commissioner Rosel asked Ms. Navarro-Saenz about the Federal Assistance that had been sign by President Clinton. He wanted to know how the County could acquire some of those funds. Ms. Navarro-Saenz informed him that they had received notice that the Community Service Agency would receive some additional monies for the Federal relief, but at this time she has not received any directives as to how these funds will be spent. She did point out that this County stood to receive \$800,000.00 just for emergency relief for this summer. Her only concern was whether local vendors would have enough air conditioners to go around.

ITEM 4. WIC PROGRAM

- A. Approval of Cooperation Agreement between Columbia Rio Grande Regional and WIC Program
- B. Approval of budget amendment

4/A

Norma Longoria, WIC Director, came before the Court requesting approval of a cooperation agreement between Columbia Rio Grande Regional and the Hidalgo County WIC Program. She said that legal counsel had reviewed this agreement and it called for some space for a clinic in the City of Pharr and it would be under the Columbia Rio Grande Regional Women's Clinic. A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to approve the cooperation agreement as presented.

MOTION CARRIED.
(See Exhibit)

4/B

Ms. Longoria indicated that no action would be required on this item.

NO ACTION.

(See Exhibit)

ITEM 5. COUNTY JUDGE'S OFFICE

- A. Approval to authorize the County Judge to execute Release of all Claims regarding Monte Cristo Recreation Vehicle Community property
- B. Public Hearing U.S. Department of Justice Local Law Enforcement Block Grant Program
- C. Consider and Approve the Hidalgo County Criminal Auxiliary Court's Block Grant
 - 1. Award Letter
 - 2. Local Match Funds
 - 3. Appropriation of 1999 Budget
 - 4. Set Salaries

5/A

The County Judge informed the Court that no action would be required on this item at this time.

NO ACTION.

5/B

Paul Vazaldua, Administrative Assistant to the County Judge, informed the Court that this next item was for a public hearing for the U.S. Department of Justice Local Law Enforcement Block Grant Program. The U.S. Department of Justice has, for the past three years, been funding the Criminal Auxiliary Court and part of the grant requirements are that a public hearing be held to notify the public that the County is intending to apply for the 1999 budget year for the Criminal Auxiliary Court. The County Judge then called the public hearing open. There were no comments from the public and the public hearing was closed.

NO ACTION.
(See Exhibit)

5/C

Mr. Vazaldua asked that no action be taken on item 5/C. He asked that they have been notified that the County is eligible for the funding for 1999, but they won't send an award letter until this public hearing has been held.

NO ACTION.
(See Exhibit)

ITEM 6. URBAN COUNTY PROGRAM

- A. Approval of a Professional Service Contract with Alcocer Garcia Associates Design Consulting - city of La Joya - Urban County year 10, 1997
- B. Approval of Subrecipient Agreement with Amigos Del Valle, Inc. Year 9 - 1996 City of Mercedes
- C. Approval of Budget Amendment - Pct. #3 - Urban County year 9, 1996
- D. Approval of Budget Amendment - Pct. #3 - Urban County year 10, 1997
- E. Approval of Subcontractor Agreement between the County of Hidalgo and Avance - A Family Support and Education Program
- F. Approval to terminate HOME CHDO contracts with Mercedes Affordable Housing Corporation & Colonias del Valle, Inc. and enter a new contract with Rio Grande Valley Opportunities Industrialization Center, Inc.
- G. Approval of Change Order #1 for Mission Paving, Inc. - Pct. #3 - PFI Street Improvements - Urban County Program Year 10 - 1997

6/A

Alan Kamasaki, for the Urban County Program, came before the Court and announced that the City of La Joya was requesting approval of a professional service contract with Alcocer-Garcia Associates Design Consulting for the construction of a new fire station under Year 10. The amount of the contract is \$51,500.00. A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to approve the request as presented.

MOTION CARRIED.
(See Exhibit)

6/B

The City of Mercedes was requesting the approval of a subrecipient agreement with Amigos Del Valley, Inc. This is under Year 9 and it is for an amount of \$2,000.00. A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to approve the request as presented.

MOTION CARRIED.
(See Exhibit)

6/C

Precinct Three was requesting approval of a budget amendment under Year 9. The amendment was for a transfer of \$9,000.00 into the Center for Abused & Neglected Children. A motion was made by Commissioner Handy and seconded by Commissioner Arcaute to approve the request as presented.

MOTION CARRIED.
(See Exhibit)

6/D

Precinct Three was also requesting a budget amendment under Year 10. The amendment was to transfer \$41,806.00 into Street Improvements. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit)

6/E

Mr. Kamasaki indicated that the next item was for approval of a subcontractor agreement between the County of Hidalgo and Avance to provide computer and literacy services at the El Paraiso/Los Ebanos Community Center. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit)

6/F

Mr. Kamasaki reported that the next item was to terminate the HOME CHDO contracts with the Mercedes Affordable Housing Corporation and Colonias Del Valle, Inc. And enter into a new contract with Rio Grande Valley Opportunities Industrialization Center, Inc. Commissioner Rosel asked why they were terminating the contracts and Mr. Kamasaki replied that these CHDO's had notified them that they were unable to proceed at this time and they have filed letters of cancellation with the Urban County Program. A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.
(See Exhibit)

6/G

Mr. Kamasaki indicated that no action would be needed on this item at this time.

NO ACTION.
(See Exhibit)

ITEM 7. PURCHASING DEPARTMENT

A. HIDALGO COUNTY

1. Recommending Bid Award for "Auctioneer Services" to sole bidder
2. Approval of contract for "Auctioneer Services"

3. Recommending as to bid award for "Air Conditioning, Electrical and Plumbing Services" for Hidalgo County to:
 - a. Delta Air Conditioning - Air Conditioning Service and Repair;
 - b. Maistro Services (sole bidder) - Electrical Service and Repair; and
 - c. H2O Waste Mechanical Contractors (sole bidder) - Plumbing Service and Repair
- B. HIDALGO COUNTY PRECINCT NO. 1 - (Solid Waste Enforcement Division)
 1. Requesting exemption from competitive bidding requirements under TX. Local Government. Code, Section 262.024(a)(9)(C)
 2. Requesting authority to negotiate the purchase of two (2) vehicles from Texas Department of Public Safety, Surplus Fleet Services for the Solid Waste Enforcement Division. Purchase price not to exceed \$10,000.00 for each vehicle
- C. HIDALGO COUNTY PRECINCT NO. 3
 1. Requesting authority to advertise and approval of specifications as attached hereto for: "Split Compartment Fuel tank system"
- D. HIDALGO COUNTY PRECINCT NO. 4
 1. Recommending Bid Award for "Hauling Services of all Road Materials (Excluding Hot Mix)" to low bidder
 2. Requesting approval of contract for "Hauling Services of all Road Materials (Excluding Hot Mix)" to low bidder

7/A/1

Martha Salazar, County Purchasing Director, came before the Court requesting approval of a bid award for "auctioneer services". She stated that they had only received one bid from Bond & Bond Auctioneer and there is no change in the rate charge for the service. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit)

7/A/2

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve a contract with Bond & Bond Auctioneers for "auctioneers services".

MOTION CARRIED.
(See Exhibit)

7/A/3/a

Mrs. Salazar reported that she was also requesting the awarding of bid for "Air conditioning service and repair" to Delta Air Conditioning. This was under Hidalgo County Buildings and Grounds and they had several bidders. The specifications called

for a Class "A" license and this bidder was the only one who qualified. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.

(See Exhibit)

7/A/3/b

She was also requesting the awarding of bid for "electrical service and repair" for Hidalgo County Buildings and Grounds. She had received a sole bid from Maistro Services and she was recommending it. A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve the request as presented.

MOTION CARRIED.

(See Exhibit)

7/A/3/c

Mrs. Salazar was requesting the awarding of bid for "plumbing service and repair" for the Hidalgo County Buildings and Grounds. She was also recommending the sole bidder being H2O Waste Mechanical Contractors. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.

(See Exhibit)

7/B

Mrs. Salazar indicated that no action would be required on any of the items under Item 7/B.

NO ACTION.

(See Exhibit)

7/C

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to authorize the advertising for "split compartment fuel tank system" for Precinct Three.

MOTION CARRIED.

(See Exhibit)

7/D

Mrs. Salazar stated that this next item was for the awarding of bid for "hauling services of all road materials (excluding hot mix)" for Precinct Four. She

reported that they had received four bids and they had a request from the low bidder, Hi-Lo Sales to be allowed to withdraw their bid, being that they were under the impression that they would be doing a lot more volume of hauling. She was recommending that the bid be awarded to the next low bidder being Roy's Hauling. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the request as presented.

MOTION CARRIED.
(See Exhibit)

7/E

A motion was made by Commissioner Handy and seconded by Commissioner Rosel to approve a contract for "hauling services of all road materials (excluding hot mix)" for Precinct Four with Roy's Hauling.

MOTION CARRIED.
(See Exhibit)

ADD. 1. PCT. #3

- A. Approval of budget amendment
- B. Request exemption from competitive bidding requirements for engineering services - Rust Environment & Infrastructure, Inc.
- C. Approval of contract - Rust Environment & Infrastructure, Inc.

Add.1/A

Paul Vazaldua informed the Court Precinct Three had received some documentation from TNRCC and Rust Environment & Infrastructure, Inc. regarding a compliance that fell within the requirements of the County. He then proceeded to read from the back-up documentation. He then stated that based on the documentation that was submitted and after reviewing the contract that was submitted by Rust Environment & Infrastructure, he was recommending a budget amendment in the amount of \$11,854.00. A motion was made by Commissioner Rosel and seconded by Commissioner Handy to approve the budget amendment of \$11,854.00 to secure the additional services as requested from TNRCC in the services to be provided by Rust Environment & Infrastructure.

MOTION CARRIED.
(See Exhibit)

Add. 1/B&C

A motion was made by Commissioner Rosel and seconded by Commissioner Handy to authorize an exemption from competitive bidding requirements

under engineering services and approve a contract with Rust Environment & Infrastructure, Inc.

MOTION CARRIED.
(See Exhibit)

EXECUTIVE AGENDA

ITEM 1. CLOSED SESSION

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

A. Litigation:

1. Magdalena Valerio -vs- Hidalgo County, C-4456-97-D

The County Judge and County Commissioners went into Closed session accompanied by Valde Guerra, Administrative Assistant to the County Judge, and Steve Crain, County Legal Counsel.

NO ACTION.

ITEM 2. OPEN SESSION

A. Litigation

1. Magdalena Valerio -vs- Hidalgo County, C-4456-97-D

Commissioner Handy indicated that they just wanted to instruct legal counsel to proceed as directed in closed session.

NO ACTION.

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

MOTION CARRIED.