

THE STATE OF TEXAS :

NO. 0121 PAGE 241

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 26TH day of JUNE, 1990, after due notice having been given, there was begun and holden, a SPECIAL MEETING of the Commissioners' Court in the Commissioners' Courtroom of the Hidalgo County Courthouse in the City of Edinburg, Hidalgo County, Texas with the following members of said Court present and participating:

Hon. J. Edgar Ruiz  
County Judge

Hon. Ramiro Cavazos  
County Commissioner, Precinct #1

Hon. Lalo Arcaute  
County Commissioner, Precinct #2

Hon. Norberto Salinas  
County Commissioner, Precinct #3

Hon. Leonard Camarillo  
County Commissioner, Precinct #4

WHEREUPON, the following proceedings

were had, to-wit:

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Honorable J. Edgar Ruiz, County Judge, called the Commissioners' Court meeting to order whereupon the following proceedings were had, to-wit:

ITEM 1. Approval of Minutes - September 11, 1989

A motion was made by Commissioner Arcaute, seconded by Commissioners Cavazos and Camarillo, and carried unanimously, to approve the minutes of September 11, 1989.

MOTION CARRIED.

ITEM 2. Approval of Bills - Steve Austin

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, and carried unanimously, to approve bills #60,592 thru #60,764 in the amount of \$493,446.49 for the General Fund, bills #58,639 thru #58,792 in the amount of \$616,349.56 for the Special Revenue Fund, bills #672 thru #673 in the amount of \$10,289.34 for the Debt Service Fund, bills #3,796 thru #3,805 in the amount of \$92,662.17 for the Capital Project Fund and bills #2,158 thru #2,162 in the amount of \$69,429.16 for the Trust and Agency Fund, as presented by Steve Austin.

MOTION CARRIED.

ITEM 3. Approval of District Clerk's fee report for the month of May 1990

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve the District Clerk's fee report for the month of May 1990 as presented.

MOTION CARRIED.  
SEE "EXHIBIT A"

ITEM 4. Approval of Board appointments for Hidalgo County Child Protective Services.

After a brief presentation by Pat Gonzalez, a motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to take the recommendation of Mr. Pat Gonzalez and appoint Michelle G. Alvaraz, from McAllen and Maria Teresa Salinas, from Alamo, to serve on the Child Welfare Board.

MOTION CARRIED.  
SEE "EXHIBIT B"

ITEM 5. Presentation of Plaque - Fran Isabell

Fran Isabell came before Commissioners' Court and gave a brief presentation along with presenting Judge Ruiz with a plaque. She stated that at the Texas Historical Commission Conference in Abilene, she learned that Hidalgo County won the Distinguished Service Award for its work in Historic Preservation and thanked Commissioners' Court for the support they had given. She then presented Judge Ruiz with the plaque for the Distinguished Award, Hidalgo County for 1990. This will be the 15th year in a row that Hidalgo County has won this award.

ITEM 6. Internal Line-Item Transfers:

- A. Buildings & Grounds
- B. International Bridge
- C. Pct. #3 Paved/Unpaved Roads & Park
- D. Sheriff's Department -Investigation Fund

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, and carried unanimously, to approve the internal line-item transfers be accepted as presented: Buildings & Grounds \$700.00, International Bridge \$6,900.00, Pct. #3 Paved/Unpaved Roads & Park \$7,950.00 and Sheriff's Department - Investigation Fund \$68,544.34.

MOTION CARRIED.  
SEE "EXHIBIT D"

ITEM 7. Pct. #1:

- A. Petition to rename road

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to rename the particular road (2 tenths of a mile North from Military Hwy. on State Hwy. 281 & runs 1 tenth East from FM 1015 on Progresso) and approve that the name of R.C. Champion be given to it. (A petition with 50 signatures with this request was presented.)

MOTION CARRIED.  
SEE "EXHIBIT E"

ITEM 8. Pct. #2:

- A. Change Order - Earling Road Irrigation Project - McAllen Construction Company

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve a Change Order #1 to McAllen Const. Incorporated in the relocation of irrigation lines on Earling Road and increases in the amount of \$521.35.

MOTION CARRIED.  
SEE "EXHIBIT F"

ITEM 9. Pct. #3:

- A. Authorization to remove unlocated items from inventory

A motion was made from Commissioner Salinas, seconded by Commissioners Camarillo and Arcaute, to authorize the removal of these 3 particular items (2 calculators & chair) from the inventory of Pct. #3.

MOTION CARRIED.  
SEE "EXHIBIT G"

ITEM 10. Purchasing Department:

- A. Report on County-wide Auction

Ramiro Gonzalez informed Commissioners' Court that on June 2, 1990, the first County-wide Auction was held and was conducted by Mr. Jim Watson from Bond & Watson Auctioneers also from Edinburg. He informed that total proceeds for the sale were \$3,956.50. The auctioneers fee at 9% of the total sale was in the amount of \$356.09, thus total net left for the County of Hidalgo was in the amount of \$3,600.41 and a cashier's check was submitted and received by our office and was submitted to the Auditor's Office.

MOTION CARRIED.  
SEE "EXHIBIT H"

ITEM 11. Planning Department:

- A. Subdivisions:
  - 1. Hacienda Vista Estates - Pct. #1
  - 2. McAllen Southwest Industrial District Unit #4 - Pct. #2
  - 3. Kenyon Heights Subdivision Unit #1 - Pct. #4
  - 4. Kenyon Heights Subdivision Unit #2 - Pct. #4
  - 5. Austin Jr. High School PSJA ISD - Pct. #2
- B. Amendment to the County Subdivision Regulations

A/1

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, and carried unanimously, to approve the Map of Hacienda Vista Estates Subdivision located in Precinct #1 on the Corner of Mile 4 North and Mile 2 1/2 East.

MOTION CARRIED.  
SEE "EXHIBIT I"

A/2

A motion was made by Commissioner Arcaute, seconded by Commissioners Cavazos and Camarillo, and carried unanimously, to approve the map of McAllen Southwest Industrial District Unit #4 Subdivision located in Precinct #4 on the Corner of South 44th Street and F.M. 1016.

MOTION CARRIED.  
SEE "EXHIBIT I"

A/3

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, and carried unanimously, to approve the Map of Kenyon Heights Subdivision Unit #1 located in Precinct #4 south on Kenyon Road about 365.0' from Mile 17 North.

MOTION CARRIED.  
SEE "EXHIBIT I"

A/4

NO ACTION.

A/5

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, and carried unanimously, to approve the Map of Austin Jr. High School PSJA ISD Subdivision located in Precinct #2 on the Corner of Stewart Road and Sam Houston Road.

MOTION CARRIED.  
SEE "EXHIBIT I"

B.

TABLED - NO ACTION

ITEM 12. Urban County:

- A. Approval of bills
- B. Urban County Amendment Year 1 & 2 - City of Weslaco
- C. City of Alamo - Water Transmission Main Project Bid Award  
Jimmy Closner & Sons
- D. Year I - City of Pharr Economic Development Loan #1

A.

Anthony Covacevich, Urban County Director, appeared before the

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Court requesting approval of the 1988 Urban County bill #1286 in the amount of \$825.00; the 1989 Urban County bills #1287 thru #1297, in the amount of \$107,706.98. Total Memorandum is in the amount of \$108,531.98.

A motion was made by Commissioner Arcaute, seconded by Commissioners Cavazos and Camarillo, to approve the 1988 & 1989 Urban County bills, as presented by Anthony Covacevich.

MOTION CARRIED.  
SEE "EXHIBIT J"

B.

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the amendments to the City of Weslaco, Urban County Budget for Year 1 and Year 2 as presented.

MOTION CARRIED.  
SEE "EXHIBIT J"

C.

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to award the low bid for the Main Transmission Project in Alamo to Jimmy Closner & Sons, being the low bid of \$28,155.00.

MOTION CARRIED.  
SEE "EXHIBIT J"

D.

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve Economic Development Loan #1 to MTX Electronics to the City of Pharr Urban Counties participation in the amount of \$114,000.00 out of \$376,000.00 loan. The loan is for a period of 5 years at 7 1/2 %.

MOTION CARRIED.  
SEE "EXHIBIT J"

Anthony Covacevich, brought Commissioners' Court up to date on the re-qualification of the Urban County Program. He stated that they had been working with the Cities on an allocation formula. The Cities have decided to meet Monday night at 7:00 P.M. in Palmview and at that time four formulas will be presented to the Cities for them to decide on an allocation. They are looking at the County receiving an amount of \$800,000.00 gross and Administration will have to be taken out of there. This will tie all the Cities together for the next 3 years which will be 4, 5, & 6. All information has to be submitted by July 16, 1990, and letters are being sent out to the Cities providing them with the agreements and with the resolution for them to pass at their first meeting in July.

Judge Ruiz recognized Alex Moreno (State Representative) and Mr. Ralph DeAnda who were present to represent the City of Pharr and the negotiation of the Urban County allocation.

ITEM 13. Department of Community Affairs:

A. Approval of continuation contract with T.E.C. for use of space

Noe Diaz came before Commissioners' Court and gave a brief presentation. He informed that they have a contract in the amount of \$11,218.00 for non-personnel services for housing our staff in McAllen, Edinburg and Weslaco.

Following the presentation, a motion was made by Commissioner Salinas, seconded by Commissioners Cavazos and Camarillo, to approve a contract between the Texas Employment Commission, the County of Hidalgo, and the Department of Community Affairs for services and or rent for occupation of space. Total contract is in the amount of \$11,218.00 and the contract runs from July 1, 1990 thru June 30, 1991.

MOTION CARRIED.  
SEE "EXHIBIT K"

- ITEM 14. Permits:  
A. Western Geophysical - Pct. #2  
B. Harold Munal - Pct. #4

A.

A motion was made by Commissioner Arcaute, seconded by Commissioners Cavazos and Camarillo, and carried unanimously, to approve the permit requested by Western Geophysical, in Precinct #2 as presented.

MOTION CARRIED.  
SEE "EXHIBIT L"

B.

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, and carried unanimously, to approve the permit requested by Harold Munal in Precinct #4.

MOTION CARRIED.  
SEE "EXHIBIT L"

#### ADDENDUM

ITEM 1. Executive Session:

- A. Commissioners' Court may go into Executive Session pursuant to Article 6252-17, Section 2G, V.T.C.S. to discuss the following matter:

1. To discuss litigation involving Robert Garcia, Wilma Ruiz, San Juana Moreno and Crisanto Villarreal vs. Hidalgo County

Judge Ruiz requested that Sheriff Brig Marmolejo, Ted, David Reyes, Amber Etnire, Travis Heister and Joe Luz go into his chambers.

B. Open Session:

1. Possible action on resolving litigation involving Robert Garcia, Wilma Ruiz, San Juana Moreno and Crisanto Villarreal

Back to open session, Judge Ruiz stated that for the record it is noted that these four cases which involve the Sheriff's Dept. and Brig Marmolejo individually are under the accumulative deductible as approved by the Insurance Department, in which we have a \$25,000.00 deductible on the Insurance Co. and the Insurance Co. is saying that all four cases can be settled with accumulative deductible of \$25,000.00. After discussion, we are recommending that all four cases are consented in approving \$25,000.00 intention and authorize the Insurance to settle all four cases as they see fit.

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to authorize the County \$25,000.00 retention in all four cases and authorize and consent the Insurance Co. to settle all cases with the understanding that \$25,000.00 deductible is the maximum for the County's liability whether it be settled or not. This is in the cases of Robert Garcia, Wilma Ruiz, San Juana Moreno and Crisanto Villarreal.

MOTION CARRIED.

After Judge Ruiz asked if there were any questions or comments from

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the Commissioners, Commissioner Salinas informed the Court that he had had Mr. Guadalupe Villarreal working for the County but that he had retired. The man who Commissioner Salinas had hired as a replacement for Mr. Villarreal resigned and left for Laredo. Commissioner Salinas has now asked Mr. Villarreal to come back at a rate of \$8.00 an hour to do the finishing on the roads and requested an authorization from Commissioners' Court so he can get paid, he is only doing work whenever needed. He will be doing work as needed temporarily until someone with experience is hired to do the work. Commissioner Salinas said that Steve Austin needed authorization from Commissioners' Court in order for Commissioner Salinas to be able to change the hourly rate of \$6.00 to \$8.00 for Mr. Villarreal and would be on a part-time basis.

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to authorize a temporary full-time position of \$8.00 an hour as a Maintainer Operator in Precinct #3.

MOTION CARRIED.

Commissioner Salinas also brought up a letter that Norma Acosta and Frank Briones had for Judge Ruiz to sign. Commissioner Salinas felt that Norma failed to understand that it is not the amount of participants that we want to serve but that we would rather serve fewer participants and be able to serve them well and meet their complete nutritional needs instead of having more participants with limited needs being met. He said people are complaining that they are not receiving the same amount of milk and cheese with their WIC cards. Commissioner Salinas said that the funds had been cut and therefore, the amount of participants should be cut down in order that their complete nutritional needs be met.

Commissioner Salinas in still another matter, asked if the Mission Boys Club had been built with our funds. Steve informed Commissioners' Court that the Mission School District is the owner of the land, and they are the ones who are responsible to pay for the insurance.

There being nor further business to come before the Court, a motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, that said meeting of Commissioners' Court be adjourned.

MOTION CARRIED.

#### DRAINAGE DISTRICT #1

Honorable J. Edgar Ruiz, County Judge, called the Drainage District meeting to order whereupon the following proceedings were had, to-wit:

ITEM 1. Permits:

- A. State Department of Highways & Public Transportation
- B. City of McAllen

A.

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve a request for permit by the State Department of Highways & Public Transportation for a 48 inch drain pipe at Raul Longoria and Earling Road.

MOTION CARRIED.

B.

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve a request for permit to the Drainage District by the

City of McAllen for a 24 inch drain.

ITEM 2. Award bids West Main Drain Phase III - Irrigation Structures -  
United Irrigation District

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to award bid to Dodds and Wedegartner Construction of San Benito at a low bid of \$823,573.00 for the West Main Drain Phase III - Irrigation Structures - United Irrigation District area.

MOTION CARRIED.  
SEE "EXHIBIT M"

There being no further business to come before the Drainage District, a motion was made by Commissioner Salinas, seconded by Commissioner Arcaute by acknowledgement, that said meeting of the Drainage District be adjourned.

MOTION CARRIED.

THERE BEING NO FURTHER BUSINESS TO COME  
BEFORE SAID COURT, the meeting of the Commissioners' Court was  
adjourned.

J. Edgar Ruiz \_\_\_\_\_  
County Judge

Ramiro Cavazos \_\_\_\_\_  
County Commissioner, Precinct #1

Lalo Arcaute \_\_\_\_\_  
County Commissioner, Precinct #2

Norberto Salinas \_\_\_\_\_  
County Commissioner, Precinct #3

Leonard Camarillo \_\_\_\_\_  
County Commissioner, Precinct #4

Dated this 26TH day of JUNE, 1990.



WILLIAM A. LEO, COUNTY CLERK

  
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Jennifer Castillo, Deputy