

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 1ST day of OCTOBER, 1991, after due notice having been given, there was begun and holden, a SPECIAL MEETING of the Commissioners' Court in the Commissioners' Courtroom of the Administration Building 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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OCTOBER 1, 1991

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

Judge Ruiz commenced by stating that the Adult Probation had held their open house reception the night before. Juan Mejia, Adult Probation Director, then came before the Court and presented the Commission with a plaque for their help and support in the past.

ITEM 1. RATIFY REQUEST FOR VOTING MACHINES - Donna ISD  
La Joya ISD

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to ratify the Court's action approving the requests by Donna Independent School District and La Joya Independent School District, for separate voting machines.

MOTION CARRIED.

ITEM 2. APPROVAL OF BILLS - Steve Austin

A motion was made by Commissioner Arcaute, seconded by Commissioners Cavazos and Camarillo, to approve in the General Fund bills #73174 thru #73334 in the amount of \$1,142,994.99; in the Special Revenue Fund bills #70992 thru #71193 in the amount of \$842,730.41; the Capital Projects Fund bill #4333 thru #4344 in the amount of \$74,545.28 and the Trust and Agency Fund bills #2659 and #2660 in the amount of \$338,867.94, as presented by Mr. Steve Austin.

MOTION CARRIED.

ITEM 3. APPROVAL OF ATTORNEYS FEES IN THE AMOUNT OF \$70,445.00

After a recap, by the Judge, regarding expenditures and collections in this account, a motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve court appointed attorneys' fees in the amount of \$70,445.00.

MOTION CARRIED.  
SEE "EXHIBIT A"

ITEM 4. APPROVAL OF MONTHLY FEE REPORTS:

- A. Justice of the Peace:
  - 1. Arnaldo Corpus - \$ 4,512.82
  - 2. Oscar L. Garza - \$ 3,742.00 (corrected)
- B. Sheriff's Office - \$122,716.86

4/A

(10/01/91)

A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to approve the August reports for Arnaldo Corpus and Oscar Garza, as presented.

MOTION CARRIED.  
SEE "EXHIBIT B"

4/B

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the Sheriff's fee report for the month of August totalling \$122,716.86.

MOTION CARRIED.  
SEE "EXHIBIT B"

- ITEM 5. REQUEST FOR VOTING MACHINES:
- A. Central Elementary - 1 machine
  - B. City of Donna - 3 machines

A motion was made by Commissioner Cavazos, seconded by Commissioners Arcaute and Camarillo, to approve the voting machine requests by Central Elementary, for one machine, and the City of Donna, for three machines, as presented.

MOTION CARRIED.  
SEE "EXHIBIT C"

- ITEM 6. COUNTY EXTENSION SERVICE:
- A. Proclamation declaring October 13th-19th as Hidalgo County Extension Homemakers Week
  - B. Introduction of New County Extension Agent
  - C. Proclamation declaring October 6th -12th as National 4-H Week in Hidalgo County

6/A

Ida Patrick, Hidalgo County Extension Agent, came before the Court and introduced Mrs. W.K. Henrichson, who asked the Court's support in proclaiming October 13th-19th as Hidalgo County Extension Homemakers Week. Mrs. Henrichson then proceeded by reading the proclamation. This was followed by a motion by Commissioner Camarillo, seconded by Commissioner Arcaute, to proclaim the week of October 13th-19th, as Hidalgo County Extension Homemakers Week.

MOTION CARRIED.  
SEE "EXHIBIT D"

6/B

Mrs. Patrick introduced Mrs. Elizabeth Rivera, who is the new County Extension Agent for Homemakers. Mrs. Rivera then made a few comments in appreciation, to both the County Extension Service and the Commissioners' Court

NO ACTION.  
SEE "EXHIBIT D"

Mrs. Ida Patrick then went on to present the results of the South Texas Early Adolescent Survey, in which over one thousand sixth graders and their parents were interviewed. She mentioned that copies of this report were available for the Commissioners because this was the only research of this

type that had been done in this area. This information would be used to base their Youth Development Programs and Families Programs, to reach families in a preventative way.

6/C

Mrs. Patrick introduced Will Looney, who presently is the County 4-H Council President, the District Council President and this summer he was elected as the State 4-H Council President. He is the son of Mr. and Mrs. Cullen Looney and he came to ask for the Court's support in celebrating National 4-H Week. A motion was then made by Commissioner Camarillo, seconded by Commissioner Salinas, to proclaim the week of October 6th-12th, 1991, as 4-H Week in Hidalgo County.

MOTION CARRIED.  
SEE "EXHIBIT D"

Mrs. Patrick then mentioned that they had just been notified that Hidalgo County has received a \$1.4 million grant from the W.K. Kellogg Foundation, it's called "Una Vida Mejor". She went on to state that they would have a Director for this project and three technical assistants and she also requested the use of the building that the Adult Probation had recently vacated.

ITEM 7. JUVENILE PROBATION DEPARTMENT:  
A. Ministerial approval of TJPC - 108-'92 Budget

Mr. Buddy Silva, Director for the Juvenile Probation Department, came before the Court requesting ministerial approval on a budget adjustment in the amount of \$3,440.00. He stated that this would maintain the Department at a current level through December 1991. A motion was then made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the amendment to the 108 - 1992 Budget under the Juvenile Probation Department of \$3,440.00.

MOTION CARRIED.  
SEE "EXHIBIT E"

ITEM 8. AUTHORIZATION AND APPROVAL OF SETTLEMENT AGREEMENT  
County of Nueces Texas vs. Texas Board of Corrections

Judge Ruiz notified the Court that this item had again been placed on the agenda, as a safety measure. He stated that the Court took similar action a week ago, however, at that time the Attorney General had not signed the agreement. He stated that since this settlement had been agreed to, by all the Counties named in this lawsuit, as well as by Harris County, no action would be necessary.

NO ACTION  
SEE "EXHIBIT F"

ITEM 9. APPROVAL OF AMENDMENTS TO THE PERSONNEL POLICY MANUEL

Mr. Travis Heister, County Legal Counsel, came before

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the Court and amended the personnel policies with regards to discipline, such as suspension with or without pay, part-time employees, military leave and also the per diem reimbursement for meals for County Officials. A motion was then made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the amendments, as prescribed by our County Attorney, to the personnel policies, as presented.

MOTION CARRIED.  
SEE "EXHIBIT G"

ITEM 10. APPROVAL OF PART-TIME EMPLOYEE TO WORK FULL-TIME ON  
A TEMPORARY BASIS - Justice of the Peace

Judge Ruiz stated that this was a request by Judge Jesse Morales, the situation was that his full-time court coordinator is out, due to a lengthy illness, and his request is for his part-time employee to work full-time on a temporary basis, until his court coordinator returns. A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to authorize the moving of a part-time employee to work full-time on a temporary basis, to the 03 category, with the Justice of the Peace, Jesse Morales.

MOTION CARRIED.  
SEE "EXHIBIT H"

ITEM 11. INTERNAL LINE ITEM TRANSFERS:  
A. County Treasurer  
B. Health Department - Administration  
C. Hidalgo County Library System  
D. Veterans Service Office  
E. Sheriff's Investigation Fund  
F. Planning Department  
G. Pct. #3 - Administration  
    - Paved/Unpaved  
    - Parks  
H. 332nd District Court

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the internal line item transfers, as follows: County Treasurer - \$122.00; Health Department/Administration - \$2,200.00; Hidalgo County Library System - \$1,488.00; Veterans Service Office - \$201.20; Sheriff's Investigation Fund - \$1,990.55; Planning Department - \$1,000.00; Pct. #3/Administration - \$542.30; Pct. #3/Paved/Unpaved - \$14,375.84; Pct. #3/Parks - \$4,802.53; and the 332nd District Court - \$300.00.

MOTION CARRIED.  
SEE "EXHIBIT I"

ITEM 12. PCT. #3:  
A. Approval of payment - Interlocal agreement -  
    Mission Boys and Girls Club  
B. Authorization to advertise for bids to pave  
    Pinto Road  
C. Authorization to pay portion of County's share

- of construction of bridge at Cuevitas - Texas  
 Department of Transportation  
 D. Approval of budget amendment  
 E. Approval of office space for Colonias Del Valle

12/A

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to authorize a payment of \$5,000.00, as prescribed by an interlocal agreement, between the Mission Boys and Girls Club and the County of Hidalgo.

MOTION CARRIED.

12/B

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to authorize the advertising for bids for labor and materials of the laying of the hot mix for Pinto Road. Bid opening October 23rd, bid award October 28, 1991.

MOTION CARRIED.  
 SEE "EXHIBIT J"

12/C

A motion was made by Commissioner Salinas, seconded by Commissioners Arcaute and Camarillo, to authorize the payment of \$3,306.15, as the County's portion of the construction of Cuevitas Bridge, jointly between the Department of Transportation and the County of Hidalgo.

MOTION CARRIED.  
 SEE "EXHIBIT J"

12/E

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to authorize and approve the request by Colonias Del Valle, to have temporary office spaces in County Commissioner's Precinct Three main office.

MOTION CARRIED.  
 SEE "EXHIBIT J"

ITEM 13. PCT. #4:

- A. Authorization to exempt, Beattie, Headley & Associates Engineers, from bidding process - Construction and paving of Doolittle Road from FM 1925 North 2,000 LF across the frontage of New Monte Cristo Elementary School (ECISD) and approval of Contract agreement

A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to approve a contract between the County of Hidalgo and Beattie, Headley & Associates, also exempting them from the bidding procedure, as professional services. Contract amount is \$4,300.00 and it is for engineering of the construction and paving of Doolittle Road.

MOTION CARRIED.  
 SEE "EXHIBIT K"

ITEM 12/D WHICH WAS SKIPPED BY MISTAKE.

12/D

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to approve a budget amendment from County Wide Road and Bridge, of \$3,306.15.

MOTION CARRIED.

ITEM 15. SHERIFF'S DEPARTMENT:

A. Approval of Appropriation - Sheriff's Investigation Fund

- 1. 1-104-421-100.95 - \$ 6,696.81
- \$10,040.03 (corrected)

A motion was made by Commissioner Arcaute, seconded by Commissioner Salinas, to appropriate the two amounts of \$6,696.81 and \$10,040.03, under the Sheriff's Investigation Fund.

MOTION CARRIED.  
SEE "EXHIBIT M"

ITEM 14. PURCHASING DEPARTMENT:

A. Award bids:

- 1. Microfilming & re-creating old official records - County Clerk
- 2. Fax machines - County Wide
- 3. Industrial chemicals - County Wide
- 4. Inmate pay telephones - Adult Detention Facility

B. Request to advertise:

- 1. Janitorial supplies - County wide
- 2. Striping County Roads - County wide
- 3. Copiers - County wide

14/A/1

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to award bid for the microfilming and recreation of old official records in the County Clerk's Office. The low bid is ADAP Commercial Division, Inc. with a low bid of \$191.00 per book.

MOTION CARRIED.  
SEE "EXHIBIT L"

14/A/2

Ramiro Gonzalez, Purchasing Director, gave an explanation of the prices in the different types of fax machines, which was in turn followed with a discussion regarding the need for fax machines by the various County Departments. Commissioner Salinas recommended that all inquiries for fax machines go through Commissioners' Court. After further discussion, a motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to award bid to the lowest bidders for Levels A, B, C, and D, be it, Copy Data, Copy Data, Cook's Office Supply and Texas Copy.

MOTION CARRIED. (COMMISSIONER CAMARILLO VOTED FOR THE MOTION TO ACCEPT THE BID, BUT HE DOES NOT VOTE FOR THE MOTION TO COME TO COMMISSIONERS' COURT)  
SEE "EXHIBIT L"

14/A/3

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to award bid for the purchase of 52 different types of industrial chemicals; bid award goes for 38 different products going to Chem Mart, out of Arlington, Texas and 14 other products going to Century Papers of McAllen. This is a bid for six months.

MOTION CARRIED.  
SEE "EXHIBIT L"

14/A/4

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to take all bids for inmate pay telephones, for the Adult Detention Facility, under advisement.

MOTION CARRIED.  
SEE "EXHIBIT L"

14/B

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to authorize for the individual advertisements for janitorial supplies, County Wide, striping of County roads, County Wide and also, copiers, various copiers, County Wide. The janitorial supplies is for a one year contract, the striping for two years and the copiers also for two years. Bid opening October 23rd, bid award October 29th.

MOTION CARRIED.  
SEE "EXHIBIT L"

ITEM 16. PLANNING DEPARTMENT:

- A. Alfredos Plaza Subdivision - Pct. #3
- B. Resubdivision lot 41-43, Block 2 - Cimarron Country Club Phase I Section 1 - Pct. #3
- C. Alberta Terrace Subdivision - Pct. #4
- D. Variances:
  - 1. M.O. Salinas Subdivision - Pct. #4

16/A

After a lengthy discussion regarding flooding at a subdivision, which had been previously approved by this Commissioners' Court, a motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the map of Alfredo's Plaza Subdivision, which is located on the south east corner of Stewart Road and 5 Mile Line, in Precinct #3.

MOTION CARRIED.  
SEE "EXHIBIT N"

16/B

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to approve the map of the Resubdivision of Lot 41 thru 43, Block 2 Cimarron Country Club Phase I, Section I, in Precinct #3.

MOTION CARRIED.  
SEE "EXHIBIT N"

16/C

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve the map of Al-

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berta Terrace, which is located on the northwest corner of Alberta Road and Tower Road, in Precinct #4.

MOTION CARRIED.  
SEE "EXHIBIT N"

16/D

Emilio Garcia, Chief Planner, explained that the engineers' of the subdivision were requesting a variance on the lot sizes, due to the fact that the lot size was .24, and the County regulations state that the lot size must not be less than the half acre. He stated further that the engineers had designed a septic tank system that would do the job for this particular lot, which was approved by our Health Department. Commissioner Arcaute voiced his concern, that since it was just one lot, for one family, the Court should approve the variance, and Commissioner Salinas opposed this. Alfonso Quintanilla, Engineer from Beattie, Headley and Associates, came before the Court and stated that the water meter for this subdivision has been in place for quite some years and since it was a corner lot, once the right of way had been established, it had decreased the size of the lot and that was why they had a request for variance.

After further discussion, a motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to reject the request variance of M.O. Salinas Subdivision, in Precinct #4, as presented.

MOTION CARRIED. (COMMISSIONERS CAMARILLO AND SALINAS VOTED  
SEE "EXHIBIT N" IN FAVOR OF THE MOTION; COMMISSIONERS AR-  
CAUTE AND CAVAZOS ABSTAINED FROM VOTING;  
JUDGE CAST DECIDING VOTE, VOTED IN FAVOR  
OF THE MOTION)

## ITEM 17. URBAN COUNTY:

- A. City of Pharr contract award - Street & Drainage Improvements Year 3
- B. City of Pharr Change Order #1 - 3rd Year Street & Drainage Improvements
- C. Change Order #1 - Year 3 Street Improvements Project, City of Weslaco & Wright Way Construction, Inc.
- D. Pct. #3 - Abram Neighborhood Facility Change Order - 3rd Year
- E. Approval of bills

17/A

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve a contract between Cris Equipment Company and the County of Hidalgo, for the Street and Drainage Improvements Year 3. The total contract is \$564,753.40, of which \$215,705.14 will come from Urban County Year 3.

MOTION CARRIED.  
SEE "EXHIBIT O"

17/B

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to authorize a change order decreasing the contract amount with Cris Equipment by \$42,453.60.

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9

MOTION CARRIED.  
SEE "EXHIBIT O"

17/C

A motion was made by Commissioner Cavazos, seconded by Commissioner Salinas, to approve change order #1 between the City of Weslaco, the County of Hidalgo and Wright Way Construction. The change order is to increase the contract by \$8,497.75.

MOTION CARRIED.  
SEE "EXHIBIT O"

17/D

A motion was made by Commissioner Salinas, seconded by Commissionrs Camarillo and Cavazos, to approve a change order of \$3,120.76, increase, with Wickes Lumber Company.

MOTION CARRIED.  
SEE "EXHIBIT O"

17/E

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the 1988 Urban County bill #2757 in the amount of \$36.47; the 1989 Urban County bill #2758 in the amount of \$308.00; the 1990 Urban County bills #2759 thru #2766 in the amount of \$37,510.09; the 1991 Urban County bill #2767 in the amount of \$6,898.88. The total Urban County memorandum to be approved is in the amount of \$44,753.44.

MOTION CARRIED.  
SEE "EXHIBIT O"

- ITEM 18. COMMUNITY SERVICE AGENCY:  
A. Contract renewal - TEFAP FFY '91-'92  
B. Contract amendment #1 Emergency Homeless Grant Program

18/A

A motion was made by Commissioner Arcaute, seconded by Commissioners Salinas and Cavazos, to renew a contract with TEFAP (The Emergency Food Assistance Program) for fiscal year 1991-92 totalling \$141,600.00.

MOTION CARRIED.  
SEE "EXHIBIT P"

18/B

A motion was made by Commissioner Arcaute, seconded by Commissioner Salinas, to approve a contract amendment with Emergency Homeless Grant Program in the amount of \$38,098.00.

MOTION CARRIED.  
SEE "EXHIBIT P"

- ITEM 19. PERMITS:  
A. Farney & McCombs - Pct. #3  
B. Southwestern Bell - Pct. #4

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10

19/A

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the request for permit by Farney & McCombs, to cross Guadalupe Flores Rd. approximately 8/10ths of a mile south of Highway 83 with a six inch water line, in Precinct #3.

MOTION CARRIED.  
SEE "EXHIBIT Q"

19/B

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve the request for two permits by Southwestern Bell, to go along El Rucio Road beginning 700 feet east of 281 and going east for 5100 feet; and also to go along Brushline Road, beginning at its intersection with FM 2812 and going south to Pinkston Road, then going west along Pinkston Road, for 3800 feet, in Precinct #4.

MOTION CARRIED.  
SEE "EXHIBIT Q"

ITEM 20. ANNOUNCEMENT OF COMPLETION OF MULTI-PURPOSE CENTER  
IN ABRAM

Judge Ruiz announced to the Court that final renovations had been made to the Multi Purpose Center in Abram and that there was a request by the Headstart Program to name this center the Norberto Salinas Multi-Purpose Center. The Judge stated further that he had approved that request and he wanted to announce that there will be an Open House and a ribbon cutting, sometime this month. Commissioner Salinas then said a few words in appreciation for the request.

NO ACTION.  
SEE "EXHIBIT R"

A questions and comments session followed with Commissioner Salinas requesting that the Planning Department look further into the matter of the engineering reports on the subdivisions and Commissioner Cavazos inquired on when the bids would be opened for the Health Clinics.

There being no further business to come before the Court, a motion was made by Commissioner Camarillo, seconded by Commissioners Cavazos and Salinas, that said meeting of Commissioners' Court be hereby 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



Date: \_\_\_\_\_ 1ST day of OCTOBER, 1991.

THOMAS R. LEO, COUNTY CLERK

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