

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 8TH 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 8, 1991

The 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 - 09-17-91

A motion was made by Commissioner Cavazos, seconded by Commissioner Camarillo, to approve the minutes of September 17th, 1991, as presented.

MOTION CARRIED.

ITEM 2. APPROVAL OF BILLS - Steve Austin

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve in the General Fund bills #73,335 thru #73,536 in the amount of \$368,705.84; in the Special Revenue Fund bills #71,194 thru #71,349 in the amount of \$430,493.79; in the Debt Service Fund bills #774 and #775 in the amount of \$3,258.85; in the Capital Projects Fund bills #4,345 thru #4,350 in the amount of \$41,961.01 and in the Trust and Agency Fund bills #2,661 thru #2,678 in the amount of \$300,956.03, as presented by Mr. Steve Austin.

MOTION CARRIED.

ITEM 3. PROCLAMATION ORDERING THE CONSTITUTIONAL AMENDMENT ELECTION TO BE HELD NOVEMBER 05, 1991

Judge Ruiz informed that this election would be held to vote on thirteen proposed amendments, which included the amendment for the extension of \$150 million to the Water Development Board and also the state lottery. A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to authorize a proclamation ordering the Constitutional Amendment Election to be held November 5th, 1991.

MOTION CARRIED.
SEE "EXHIBIT A"

ITEM 4. REQUEST FOR VOTING MACHINES:

- A. Cuellar Middle School Weslaco - 2 machines
- B. Progreso - 3 machines

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the requests for voting machines, as presented.

MOTION CARRIED.
SEE "EXHIBIT B"

ITEM 5. CONSIDERATION AND APPROVAL OF PALMVIEW RURAL FIRE CONTRACT

Judge Ruiz reported that the City of Palmview had incorporated their fire department, had their equipment reviewed by the County Fire Marshall and it had met all specifications. A motion was then made by Commissioner Salinas, seconded by Commissioner Camarillo, to authorize and approve a contractual agreement between Palmview and the County of Hidalgo, to provide rural fire call service, in accordance with our contract, that is customary for all cities.

MOTION CARRIED.
SEE "EXHIBIT C"

- ITEM 6. AUTHORIZATION TO DECLARE EQUIPMENT SURPLUS:
- A. Automobile department - Various Office equipment
- B. Voter registration - " " "
- C. Tax Collecting & Assessing - " " "

Judge Ruiz explained that this was office equipment left over from the move by the Tax Office, the Automobile Department and the Voter Registration Department, into the Administration building. A motion was then made by Commissioner Salinas, seconded by Commissioner Cavazos, to authorize a declaration of equipment surplus and authorize our Purchasing Agent to dispose of said equipment.

MOTION CARRIED.
SEE "EXHIBIT D"

- ITEM 7. HEALTH DEPARTMENT:
- A. Approval of EPSDT Program
- B. Approval of Chronic Disease Contracts
- C. Approval of Budget Appropriations:
 - 1. Early Childhood
 - 2. Chronic Disease
 - 3. Maternal & Child Health
 - 4. T.B. Control
 - 5. HIV Division
 - 6. Community Rural Health
 - 7. MIHIA Grant

7/A

Dr. Charles Wilson, County Health Director, came before the Court and stated that the EPSDT (Early Preventive Screening Development and Treatment) Program is a Medicaid program that the Health Department has been asked to apply for. He went on to present a letter from the State Department of Health and he stressed that this money was all Medicaid money and it would be used to screen children for health problems. He stated further that this would be part of the CoPay Program, where the County and the Health Department would split this money, as per formulated by the State. After a lengthy discussion regarding the eligibility for Medicaid benefits and also the acceptance of Medicaid recipients by hospitals, a motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to authorize the enrollment in the Medicaid Family Planning, as a Medicaid Family Planning provider, under the EPSDT Program.

MOTION CARRIED.
SEE "EXHIBIT E"

7/B

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to approve the renewal of contract between the State of Texas and the County of Hidalgo, titled Chronic Disease Program. The amount is \$67,610.00.

MOTION CARRIED.
SEE "EXHIBIT E"

7/C

Judge Ruiz explained to the Court that Dr. Wilson was recommending these changes, due to the fact that the State did not award any extra monies for salary increases. Dr. Wilson has reworked his budgets to show a 5% increase to all his employees, contingent on approval from the Commissioners' Court. A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to approve budget appropriations for the seven outlined programs, under the Health Department; 5% increase appropriated within the budget, they will not take effect until Commissioners' Court approves their final budget and gives final approval.

MOTION CARRIED.
SEE "EXHIBIT E"

ITEM 8. WIC:
A. Approval of budget appropriation

Judge Ruiz explained that this was a similar situation to that of the Health Department's, in that the State did not award any extra monies for salary increases. A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve this budget appropriation.

MOTION CARRIED.
SEE "EXHIBIT F"

ITEM 9. APPROVAL OF TEXAS WATER DEVELOPMENT BOARD CONTRACT FOR PHASE I EL PARAISO STUDY & BUDGET APPROPRIATION OF \$11,156.00

Anthony Covacevich came before the Court requesting formal approval of this contract and also the authority to appropriate the \$11,156.00 that the Texas Water Development Board was granting the County, as per our County Auditor. A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to approve said contract for El Paraiso Study, totalling \$11,156.00, which also includes a budget appropriation.

MOTION CARRIED.
SEE "EXHIBIT G"

ITEM 10. INTERNAL LINE ITEM TRANSFERS:

- A. County Wide Shop
- B. Pct. #2 - Administration
 - Paved/Unpaved Roads
 - Park
- C. 139th District Court
- D. Human Services
- E. Buildings & Grounds

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the internal line item transfers, as follows: County Wide Shop - \$1,000.00; Pct. #2/Administration - \$500.00; Pct. #2/Paved/Unpaved - \$26,392.81; Pct. #2/Parks - \$2,000.00; 139th District Court - \$4,800.00; Human Services - \$1,700.00; Buildings and Grounds - \$500.00.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 11. CONSIDERATION AND APPROVAL OF INCREASE IN AUTO ALLOWANCE - District Judges

Judge Ruiz briefed the Commission on the increase in salaries by the State to the District Judges. As a result the County subsidy to the District Judges was decreased and in turn the District Judges had requested an increase in their auto allowance. The Judge then stated that after reviewing the amount of travel done by the District Judges, he was recommending that an increase of \$5,400.00 be approved for the District Judges. Commissioner Cavazos then made a motion to raise the District Judges auto allowance to \$6,000.00. This motion died, however for lack of a second. Under discussion, Commissioner Arcaute, disclosed that the issue of compensation had never been settled and he noted that if the auto allowance was considered compensation then they were giving the District Judges more money than the State allows and also that no department had been given an increase in car allowance. Judge Ruiz responded that he had the assurance of the Auditor that the auto allowance was compensation but not an increase in salary. In addition, Commissioner Salinas said that the travel by the District Judges had been justified in a budget workshop and he went on to explain that proceeding. A motion was then made by Commissioner Salinas seconded by Commissioner Camarillo, to approve an increase in auto allowance to the District Judges from \$4,000.00 to \$5,400.00 annually, this is to become effective October 16th, 1991.

MOTION CARRIED. (COMMISSIONERS SALINAS & CAMARILLO VOTED IN FAVOR OF THE MOTION; COMMISSIONER CAVAZOS VOTED AGAINST THE MOTION; COMMISSIONER ARCAUTE ABSTAINED; JUDGE CAST VOTE IN FAVOR)

- ITEM 12. PCT. #2:
- A. Transfer funds from County Road Bonds to Road and Bridge Acct. #1-040-431-210.91
 - B. Correct action taken on 09-17-91 to transfer funds from Road & Bridge County Wide to Acct. #1-040-431-210.86

12/A

After discussion regarding the amount to be transferred and to what account, a motion was made by Com-

missioner Arcaute, seconded by Commissioner Camarillo, to authorize a transfer of funds from County Road Bonds to Road and Bridge, account #210.91, in the amount of \$81,000.00.

MOTION CARRIED.
SEE "EXHIBIT J"

12/B

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to authorize a transfer of funds from Road and Bridge County Wide to account #210.86 in the amount of \$73,000.00.

MOTION CARRIED.
SEE "EXHIBIT J"

- ITEM 13. PCT. #4:
 - A. Budget amendment
 - B. Appointment of Justice of the Peace Precinct #4, Place #2

13/A

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to authorize a budget amendment, increasing the Miscellaneous Revenue, under Precinct #4 and the expenditures of hauling by \$8,743.34, respectively.

MOTION CARRIED.
SEE "EXHIBIT K"

13/B

Judge Ruiz mentioned that due to the fact that Justice of the Peace Oscar Garza had resigned, Commissioners' Court had the responsibility of either appointing or not appointing someone to this position. He further stated that if an appointment was to be made the courtesy was usually given to the Commissioner, of said precinct, to recommend someone for the Court's approval. Commissioner Camarillo then stated that he had received several calls from people who were interested in filling this vacancy as well as resumes from Mr. Roberto Perez, Alex Champion and Rene Oscar Torres. His recommendation was to appoint Mr. Rene Oscar Torres, this was followed with a discussion on whether Mr. Torres was to serve until December 31st, 1991 or if he was appointed to run in the March primaries. A motion was then made by Commissioner Camarillo, seconded by Commissioner Arcaute, to appoint Mr. Rene Oscar Torres, to serve the term of office, of Justice of the Peace, through December 31st, 1992.

MOTION CARRIED.

Rene Oscar Torres, then came before the Court and said a few words in appreciation.

- ITEM 14. PURCHASING DEPARTMENT:
 - A. Award Bids:
 - 1. Health Clinics - Pcts. #1 & #4
 - 2. Cold & Dry Storage - Community Service
 - 3. Inmate pay telephone - Adult Detention

14/A/1

A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to take all bids under advisement for the construction of the Health Clinics in Precincts #1 and #4.

MOTION CARRIED.

14/A/2

A motion was made by Commissioner Cavazos, seconded by Commissioner Camarillo, to award bid to Loop Cold Storage Company, of McAllen, for the Community Service Agency's need of cold and dry storage. Bid is for one year.

MOTION CARRIED.
SEE "EXHIBIT L"

14/A/3

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to approve the submittal of bid to Southwestern Bell, of San Antonio, Texas, for their services of inmate pay telephones for a period of two years.

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 15. PLANNING DEPARTMENT:

A. Subdivisions:

- 1. Izaguirre Subdivision - Pct. #1
- 2. Nolana Wal-Mart Subdivision - Pct. #3

B. Preliminary Approval:

- 1. Garza Subdivision Phase III - Pct. #4

15/A/1

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the map of Izaguirre Subdivision, which is located on the southeast corner of Maryland Ave. and 14th Street, in Mercedes, in Precinct #1.

MOTION CARRIED.
SEE "EXHIBIT M"

15/A/2

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the map of Nolana Wal-Mart Subdivision, which is located on the northwest corner of 23rd Street and Nolana Loop, in McAllen, in Precinct #3.

MOTION CARRIED.
SEE "EXHIBIT M"

15/B/1

A motion was made by Commissioner Cavazos, seconded by Commissioner Salinas, to give preliminary approval to Garza Subdivision Phase III, which is located half a mile west of FM 88, on the north side of Mile 15 North, in Elsa, in Precinct #4.

MOTION CARRIED.

ITEM 16. URBAN COUNTY:

- A. City of La Joya - Contract award - Two (2) 1992 Passenger Vans
- B. City of La Joya - Contract award - 1992 Fire Department Tanker
- C. Pct. #1 - Professional Services Contract (Engineering) Street Improvements Year 4
- D. City of Palmview - Planning Consultant Contract for Planning & Capacity Building Activity Year 4
- E. Pct. #1 - Permission to advertise - interim Assistance Emergency Bridge Reconstruction (Progreso Lakes)
- F. Approval of bills

16/A

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to award bid to Burns Motors and approve a contractual agreement, to supply two fifteen passenger vans, total cost \$44,898.00.

MOTION CARRIED.
SEE "EXHIBIT N"

16/B

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to award bid to Simms Fire Equipment Company, for the purchase of a 1992 1500 gallon Fire Department Tanker; bid amount \$66,261.00.

MOTION CARRIED.
SEE "EXHIBIT N"

16/C

A motion was made by Commissioner Cavazos, seconded by Commissioner Camarillo, to award a professional services contract for the engineering to Richard Salinas and Associates, also to exempt them from the bidding procedure, under professional services. Contract award is for \$38,840.00.

MOTION CARRIED.
SEE "EXHIBIT N"

16/D

After a lengthy discussion regarding the need for a study for the need of a water system, with comments from Judge Ruiz, Commissioner Salinas, Annette Nevarez and Sergio Munoz, a motion was made by Commissioner Salinas and seconded by Commissioner Cavazos, to approve a contractual agreement between Ricardo Gomez and Associates, the City of Palmview and the County of Hidalgo for a water distribution system purchase feasibility study in the amount of \$30,000.00.

MOTION CARRIED.
SEE "EXHIBIT N"

16/E

After an explanation by Annette Nevarez, Urban County Director, Commissioner Salinas questioned the location of this construction and if it qualified for Urban County monies. Miss Nevarez responded that once an area was declared in emergency it fell under Urgent Need, and it did not need to qualify under Low Mod. A motion was made by Commissioner Cavazos, seconded by Judge Ruiz, for need of discussion, under interim assistance emergency, by a resolution passed by Progreso Lakes, declaring a bridge, unsatisfactory for the safety of their residents, declaring an urgent need, under HUD guidelines, is requesting authorization to advertise for the construction of said bridge. Bid opening October 30th, bid award

November 5th.

MOTION CARRIED. (COMMISSIONERS ARCAUTE AND CAVAZOS VOTED IN FAVOR OF THE MOTION; COMMISSIONER SALINAS VOTED AGAINST THE MOTION; COMMISSIONER CAMARILLO ABSTAINED; JUDGE VOTED IN FAVOR)
SEE "EXHIBIT N"

16/F

A motion was made by Commissioner Cavazos, seconded by Commissioner Salinas, to approve the 1990 Urban County bills #2780 thru #2785 in the amount of \$46,976.79 and the Emergency Shelter Grant bills #2786 and #2787 in the amount of \$1,521.43. The total Urban County memorandum to be approved is \$48,498.22.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 17. PERMITS:

A. Southwestern Bell - Pcts. #1, #3 & #4

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve a request for four permits by Southwestern Bell, to go along South River Road for approximately 2500 feet, in Precinct #1; in Precinct #3, to go along Mile 3, beginning at Brushline and going west to Abram Road; in Precinct #4, to go along Iowa Road, on the west side of Alamo Road, for approximately 1400 feet and also to go across Tower Road, approximately 1200 feet north of Tower Road's intersection with Mile 17 1/2.

MOTION CARRIED.
SEE "EXHIBIT O"

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

MOTION CARRIED.

DRAINAGE DISTRICT #1

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

ITEM 1. RESOLUTION AUTHORIZING UTILITY ADJUSTMENT - TEJAS GAS CORPORATION - WEST MAIN DRAIN - PHASE III

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to authorize a resolution to Tejas Gas Corporation, for utility adjustments on West Main Drain Phase III.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 2. LINE ITEM TRANSFER

NO ACTION.

There being no further business to come before the
Drainage District, said meeting was adjourned.

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: this 8TH day of OCTOBER, 1991.

R. LEO, COUNTY CLERK

By:  _____
Jennifer Castillo, Deputy