

THE STATE OF TEXAS :

in 0130 PAGE 369

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 14TH day of OCTOBER, 1991, after due notice having been given, there was begun and holden, a REGULAR 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 14TH, 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 BILLS - Steve Austin

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve in the General Fund bills #73,537 thru #73,726 in the amount of \$640,668.34; in the Special Revenue Fund bills #71,350 thru #71,560 in the amount of \$194,106.52; in the Debt Service Fund bills #776 and #777 in the amount of \$6,110.00; in the Capital Projects Fund bills #4,351 thru #4,355 in the amount of \$2,091,103.70 and in the Trust and Agency Fund bills #2,679 and #2,680 in the amount of \$31,237.37, as presented by Steve Austin.

MOTION CARRIED.

ITEM 2. APPROVAL OF COURT REPORTERS FEES:

A. Mark Kvapil - \$2,237.15

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the payment of court reporter's fees, to Mark Kvapil totalling \$2,237.15.

MOTION CARRIED.  
SEE "EXHIBIT A"

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:

A. District Attorney Check Department

- B. Anzalduas Park - \$ 5,816.00 - August
- \$ 5,090.00 - September
- C. County Clerk - \$168,520.70 - September
- D. District Clerk - \$123,731.58 - July
- \$153,623.21 - August

E. Constables:

- 1. Roberto Pena - 90.00 September
- 2. Eduardo Bazan - -0- - " "
- 3. Genovevo Quintanilla - \$190.00 - " "
- 4. Rumaldo Cerda - 45.00 - " "
- 5. Horacio Aguirre - 35.00 - " "

3/A

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the District Attorney's Check Department report, as presented.

MOTION CARRIED.  
SEE "EXHIBIT B"

3/B

A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to approve the August and September reports for Anzalduas Park.

MOTION CARRIED.

SEE "EXHIBIT B"

3/C

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the County Clerk's fee report for the month of September, as presented.

MOTION CARRIED.  
SEE "EXHIBIT B"

3/D

A motion was made by Commissioner Arcaute, seconded by Commissioners Camarillo and Cavazos, to approve the District Clerk's reports for July and August, as presented.

MOTION CARRIED.  
SEE "EXHIBIT B"

3/E

A motion was made by Commissioner Cavazos, seconded by Commissioners Camarillo and Arcaute, to approve the September Constable reports, as presented.

MOTION CARRIED.  
SEE "EXHIBIT B"

ITEM 4. APPROVAL OF VOTING MACHINES:

A. Lamar Middle School - McAllen - 3 machines

A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to approve the request for voting machines by Lamar Middle School.

MOTION CARRIED.  
SEE "EXHIBIT C"

ITEM 5. ADULT PROBATION:

A. FY '92 Restitution Center Grant  
B. FY '92 Electronic Monitoring Grant

5/A

Juan Mejia, Adult Probation Director, came before the Court and requested ministerial approval of changes in the Restitution Center Grant budget, which was reduced. A motion was made by Commissioner Arcaute, seconded by Commissioners Camarillo and Cavazos, to approve the Restitution Center Grant budget, totalling \$675,725.00.

MOTION CARRIED.  
SEE "EXHIBIT D"

5/B

Juan Mejia explained that this budget had been rounded-off, from \$46,015.21 to \$46,015.00. A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to approve the changes in budget for the Electronic Monitoring Grant totalling \$46,015.00.

MOTION CARRIED.  
SEE "EXHIBIT D"

ITEM 6. INTERNAL LINE ITEM TRANSFERS:

- A. Computer Department
- B. WIC
- C. Reproduction
- D. 370th District Court
- E. Buildings & Grounds
- F. Indigent Health Care
- G. Adult Probation
- H. Adult Probation (State Funds)
- I. Hidalgo County Youth Village
- J. Narcotic District Court Grant
- K. County Commissioners
- L. County Judge
- M. Justice of the Peace
- N. Various District Courts
- O. Pct. #3 - Administration
  - Paved/Unpaved
  - Park

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to approve the internal line transfers as follows: Computer Department - \$3,700.00; WIC - \$1,872.92; Reproduction - \$100.00; 370th District Court - \$1,000.00 and \$2,000.00; Buildings & Grounds - \$13,000.00; Indigent Health Care - \$128,148.46; Adult Probation - \$200.00; Adult Probation (State Funds) - \$101,566.24; Hidalgo County Youth Village - \$6,550.00; Narcotic District Court Grant - \$1,572.00; County Commissioners - \$2,000.00; County Judge - \$1,000.00; Justice of the Peace - \$293.00; Various District Courts (with regards to the increase in auto allowance) - \$295.88; Pct. #3/Administration & Paved/Unpaved - \$3,152.00; Pct. #3/Park - \$2,971.44.

MOTION CARRIED.  
SEE "EXHIBIT E"

ITEM 7. BUDGET AMENDMENT:

- A. Indigent Health Care (Expenditures)
- B. Indigent Health Care (Revenues)

7/B

Steve Austin, County Auditor, explained that during the State fiscal year, ending August 31st, 1991, the State reimbursed Hidalgo County an the amount of \$837,613.74, in SLIAG funds and an additional amount of \$824,644.57, which constituted the 80% match, from the State on the amount exceeding the 10% of the adjusted general revenue tax levy. As a result, he stated, total revenues were \$1,662,258.31 over budget and as a result we have to amend the estimated revenues. A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to appropriate the the Federal SLIAG funds and the State reimbursement, as prescribed, totalling \$1,662,258.31.

MOTION CARRIED.  
SEE "EXHIBIT F"

7/A

The Judge explained that this amendment to the budget was to cover over-expended amounts and to cover future expenses, through and after December 31st, because it was a carry-over. After discussion, a motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve a budget amendment of \$615,073.68 for Indigent Health Care, under expenditures.

MOTION CARRIED.  
SEE "EXHIBIT F"

ITEM 8. NOMINATION OF REPRESENTATIVE TO THE HIDALGO COUNTY APPRAISAL DISTRICT BOARD

Judge Ruiz explained that he is recommending Brinkley Oxford, who is the present representative, for this Board. A motion was made by Commissioner Salinas, seconded by Commissioners Arcaute and Camarillo, to approve resolution placing the name of Brinkley Oxford, as a nomination to be elected to the Hidalgo County Appraisal Board.

MOTION CARRIED.

ITEM 9. REQUEST FOR AUDIENCE - Mario Alaniz

NO ACTION.

ITEM 10. PCT. #1:

- A. Transfer \$57,540.00 from Road District #2 to Pct. #1 Capital Projects - F.M. 1015 Project

Judge Ruiz explained that this was a contract that had been approved previously, for engineering for the FM 1015 Project in Progreso. A motion was made by Commissioner Cavazos, seconded by Commissioner Camarillo, to authorize a transfer of \$57,540.00 from Road District #2 to Pct. #1 Capital Projects funds for the project of Farm to Market 1015.

MOTION CARRIED.  
SEE "EXHIBIT G"

ITEM 11. PCT. #3:

- A. Declare equipment surplus

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to authorize a declaration of equipment surplus, we are talking from Precinct Three, some pickups, trucks, rollers, tractors and authorize our Purchasing Agent to dispose of said equipment, as soon as possible.

MOTION CARRIED.  
SEE "EXHIBIT H"

ITEM 12. PURCHASING DEPARTMENT:

- A. Award Bids:
  - 1. Health Clinics - Pcts. #1 & #4
  - 2. Tires - County wide
  - 3. Biohazardious waste - Health Department

Mike Hovar, from VA Architecture, came before the Court to present the Precinct #4 Health Clinic's bid tabulations. The low bidder was Williamson Construction Co. for an amount of \$499,000.00. He stated that as per staff, they were redefining the bid and making some recommendations, to perhaps lower the cost of the building. He went through some of the proposed deletions and changes. One of the proposed deletions dealt with the filing of a performance bond and Mr. Travis Heister stated that, as per the law, a performance bond had to be filed. A discussion erupted on the high cost of this clinic, with Commissioner Salinas recommending that some of this cost be alleviated with Urban County monies. After further discussion, a motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to accept low bid of Williamson Construction Company, base bid being \$499,000.00, this is for a Health Clinic to be built in Precinct Four.

MOTION CARRIED.  
SEE "EXHIBIT I"

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the low bid of \$348,000.00 to Reyna Construction Company for the construction of a Health Clinic in Precinct One, Weslaco Area.

MOTION CARRIED.

12/A/2

A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to award low bid to Vista Oil and Tire Company and Round Tire of Pharr, for the purchase of tires, County Wide; said contract will be for one year and all being low bid.

MOTION CARRIED.  
SEE "EXHIBIT I"

12/A/3

After a discussion, regarding the process by which the bids were opened, a motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to take all bids under advisement, under the biohazardous waste, for the Health Department.

MOTION CARRIED.  
SEE "EXHIBIT I"

ITEM 13. PLANNING DEPARTMENT:

A. Subdivisions:

1. The Estates Subdivision - Pct. #2
2. Victoria Estates Subdivision - Pct. #3
3. Wal-Mart Subdivision - Pct. #4
4. Villas del Sur Subdivision - Pct. #3

B. Authorization to accept settlement on Los Salinas Subdivision - Pct. #3

13/A/1

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the map of The Estates Subdivision, which is located on North Cynthia St., on the south side of Dove Road, in McAllen, in Precinct #2.

MOTION CARRIED.  
SEE "EXHIBIT J"

13/A/2

A motion was made by Commissioner Salinas, seconded by Commissioners Camarillo and Cavazos, to approve the map of Victoria Estates Subdivision, which is located on the northeast corner of Trosper and 4 Mile Line, in Alton, in Precinct #3.

MOTION CARRIED.  
SEE "EXHIBIT J"

13/A/3

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve the map of Wal-Mart Subdivision, which is located on the southwest corner of Sugar Road and State Highway 107, in Edinburg, in Precinct #4.

MOTION CARRIED.  
SEE "EXHIBIT J"

13/A/4

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve a TABLE on Villas del Sur Subdivision, in Precinct #3.

MOTION CARRIED.

13/B

Judge Ruiz explained that about a year ago, an injunction had been filed against Los Salinas Subdivision, which is owned by Fausto Salinas. Since then, he continued, there had been various negotiations with the developer, through the County and the Attorney General's Office, due to the road being unpaved. He stated further that the developer had agreed to put up the money for the paving of that road, if the County agreed to pave said road, which is approximately \$15,000.00. Rudy Juarez, from the Attorney General's Office, came before the Court and stated that they were in the process of filing a lawsuit against Mr. Salinas, but if the Commission approved the \$15,000.00 then they would file a settlement agreement. After further discussion, a motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to approve a settlement offer for the platting of Los Salinas Subdivision, in Precinct Three; settlement being that Mr. Salinas will forward to the County an amount of \$15,000.00 for the paving of the sole road that exists in this subdivision. Once this subdivision is paved then we will proceed to plat the subdivision formally.

MOTION CARRIED.  
SEE "EXHIBIT J"

ITEM 14. URBAN COUNTY:

- A. City of La Villa - Street Improvements bid award Year 2
- B. City of Palmview - Professional Service Contract Street Improvements contract Year 4
- C. City of San Juan - Professional Service Contract Street Improvements Contract Year 4
- D. 1991 Interlocal Agreements
- E. Approval of bills

14/A

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to award bid to Martinez

Contractors, according to formal agreement between the City of La Villa and Martinez Contractors, in the amount of \$31,613.00; this is Year 2 Street Improvements.

MOTION CARRIED.  
SEE "EXHIBIT K"

14/B

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to authorize a professional service contract appointing Mr. Noe Garza, as engineer, for an amount of \$15,000.00, for street improvements.

MOTION CARRIED.  
SEE "EXHIBIT K"

14/C

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve a professional service contract between the City of San Juan, the County of Hidalgo and Noe Garza Engineering, for street improvements; engineering contract costs approximately \$30,200.00.

MOTION CARRIED.  
SEE "EXHIBIT K"

14/D

As per a request by Annette Nevarez, Urban County Director, a motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve interlocal agreements, for one year, between the cities described and the County of Hidalgo; this is for Urban County. (Note: the cities are Alamo, Alton, Donna, Edcouch, Elsa, Hidalgo, La Joya, La Villa, Mercedes, Palmview, San Juan and Weslaco)

MOTION CARRIED.  
SEE "EXHIBIT K"

14/E

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve the 1989 Urban County bill #2,791 in the amount of \$2,716.74; the 1990 Urban County bills #2792 thru #2798 in the amount of \$25,251.57; the 1991 Urban County bills #2,799 thru #2,805 in the amount of \$13,851.01 and the 1989 Rental Rehab bill #2806 in the amount of \$4,945.53. The total Urban County memorandum to be approved is \$46,764.85.

MOTION CARRIED.  
SEE "EXHIBIT K"

ITEM 15. PERMITS:

- A. North Alamo Water Supply - Pcts. #1 & #4
- B. Sharyland Water Supply - Pcts. #3 & #4
- C. Valley Humane Society - Pct. #4
- D. Rio Grande Valley Gas - Pct. #4

15/A

A motion was made by Commissioner Camarillo, seconded by Commissioners Cavazos and Salinas, to approve the request for permit by North Alamo Water Supply, for six road crossings on the roads that are paved they will bore, in Precincts One and Four.

MOTION CARRIED.  
SEE "EXHIBIT L"

15/B

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve the request for permit by Sharyland Water Supply, for two road crossings in which they will bore, in Precinct Four and one meter connection in Precinct Three.

MOTION CARRIED.  
SEE "EXHIBIT L"

15/C

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve the request for permit by the Valley Humane Society, for a two inch PVC force main, to run from Sugar Road to the Humane Society location, in Precinct Four.

MOTION CARRIED.  
SEE "EXHIBIT L"

15/D

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve the request for permit by Rio Grande Valley Gas, for a two inch PVC line, in Precinct Four, to go from Second Street west 750 feet on the south side of Hobbs Drive.

MOTION CARRIED.  
SEE "EXHIBIT L"

ITEM 16. SWEARING IN OF JUSTICE OF THE PEACE APPOINTMENT -  
Rene Torres

Judge Ruiz called upon Mr. Rene Torres to please come up to be sworn in and in turn thanked Judge Oscar Garza for his services as a Justice of the Peace and informed Mr. Torres that his term of office would begin at 12:01 AM on October 16. The Judge then gave the oath of office to Mr. Rene Torres, who was accompanied by his wife and son. Judge Rene Torres then proceeded to address the audience and invited them to a small reception to be held, right after the meeting, in the Conference Room, of the Administration Building.

NO ACTION.

There being no further business to come before the Court, a motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, 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



\_\_\_\_\_ this 14TH day of OCTOBER, 1991.

\_\_\_\_\_ M R. LEO, COUNTY CLERK

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