

R U I Z

Ruiz

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE

NOTICE is hereby given in accordance with Article 6252-17, Sections 2E, 2G, and 3A, as amended, that a SPECIAL MEETING of the Commissioners' Court will be held on Tuesday, November 5, 1991 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

1. Approval of Minutes - October 22, 1991
2. Approval of Bills - Steve Austin
3. Approval of Court Appointed Fees - \$67,932.16
4. Approval of Monthly Fee Reports:
 - A. Anzaldua's Park - \$3,796.00 - October
 - B. Justice of the Peace:
 1. Jesus Morales - \$4,607.25 - September
5. Selection of Appraisal District Board of Directors
6. Request to advertise for Self Funding - Workers Compensation
7. Discussion and possible action on the County's On-Site Sewerage Ordinance
8. Budget Appropriation:
 - A. Sheriff Investigation Fund - \$79,920.00
9. Internal Line-Item(s) Transfers:
 1. Hidalgo County Library System
 2. 370th District Court
 3. 332nd District Court
 4. Pct. 2 - Paved/Unpaved Roads
 5. Park - Pct. 4
10. Precinct #1:
 - A. Acceptance of Road Easements - Colonia Tijerina - Mile 12 North East of FM 1015

P.O. BOX 1356
EDINBURG, TEXAS 78540
512 383-2751

R U I Z

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

AGENDA

Page 2

November 5, 1991

11. Precinct #4:
 - A. Acceptance of Road Easements - Navarro-Fuentes Subdivision
12. Economic Development - J.D. Salinas
 - A. Request for hearing for a variance to the Hidalgo County Subdivision Regulations - Paula Reyes
13. Purchasing Department:
 - A. Award bid for copiers - County Wide
14. Planning Department:
 - A. Subdivisions:
 1. Hidalgo-Starr Rehab. Subdivision, Pct. 2
 2. Trevino's Acre, Pct. 2
 3. Resubdivision Lot 20 Block 29, Balboa Acres Subdivision, Pct. 2
 4. Wal-Mart Subdivision No. 2, Pct. 2
 5. Lots 1 Thru 28 Camelot Retirement Community, Pct. 2
 6. Northgate Estates, Pct. 4
 7. Navarro-Fuentes Estates, Pct. 4
15. Urban County:
 - A. City of Donna - Housing Rehab. Grants #1-6 Housing Rehabilitation/ Program Year 1991
 - B. Public Hearing on Proposed Amendment to Year 4 - Pct. #1 and #2
 - C. Urban County Amendment Year 2, Precinct #1 and #2
 - D. Approval of Bills
16. Permits:
 - A. Rio Grande Valley Gas Company, Pct. 1
 - B. North Alamo Water Supply, Pcts. 1&4
 - C. Valero Transmission, L.P. - Pct. 2
 - D. Sharyland Water Supply, Pct. 3
 - E. La Joya Water Supply, Pct. 3

Dated this the 31st day of October, 1991.

P.O. BOX 1356
EDINBURG, TEXAS 78540
512 383-2751

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HIDALGO COUNTY JUDGE

NOTICE

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DRAINAGE

1. Line-Item Transfer.

Dated this the 31st day of October, 1991.

P.O. BOX 1356
EDINBURG, TEXAS 78540
512 383-2751

R U I Z

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE

NOTICE is hereby given in accordance with Article 6252-17, Sections 2E, 2G, and 3A, as amended, that a SPECIAL MEETING of the Commissioners' Court will be held on Wednesday, November 6, 1991 at 9:00 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

WORKSHOP

1. Discussion of Jail Facility.

Dated this the 31st day of October, 1991.

P. O. BOX 1356
EDINBURG, TEXAS 78540
512 383-2751

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 5TH day of
NOVEMBER, 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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NOVEMBER 5, 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 - October 22, 1991

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the minutes of October 22nd, 1991, as presented.

MOTION CARRIED.

ITEM 2. APPROVAL OF BILLS - Steve Austin

A motion was made by Commissioner Cavazos, seconded by Commissioner Camarillo, to approve the in the General Fund, bills #74064 thru #74160 in the amount of \$850,587.67; in the Special Revenue fund bills #71944 thru #72041 in the amount of \$680,503.77; in the Capital Projects Fund bills #4366 thru #4368 in the amount of \$1,502.06 and in the Trust and Agency Fund bills #2697 thru #2714 in the amount of \$560,992.09, as presented by Mr. Steve Austin.

MOTION CARRIED.

ITEM 3. APPROVAL OF COURT APPOINTED FEES - \$67,932.16

Judge Ruiz noted that the original budget for this item was \$590,000.00 with credits coming of \$28,572.15. He stated that a budget amendment would be made at the next meeting, due to the fact that there was a deficit of \$16,521.74. A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve court appointed attorneys fees, as presented.

MOTION CARRIED.
SEE "EXHIBIT A"

ITEM 4. APPROVAL OF MONTHLY FEE REPORTS:

- A. Anzaldua's Park - \$3,796.00 - October
- B. Justice of the Peace:
 - 1. Jesus Morales - \$4,607.25 - September

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the monthly fee reports for Anzaldua's Park, for October and for Judge Morales, for September.

MOTION CARRIED.
SEE "EXHIBIT B"

MOVED TO ITEM 15 BY CONSENSUS.

ITEM 15. URBAN COUNTY:

- A. City of Donna - Housing Rehab. Grants #1-6 Housing Rehabilitation Program Year 1991
- B. Public Hearing on Proposed Amendment to Year 4 - Pct. #1 and #2
- C. Urban County Amendment Year 2, Precinct #1 and #2
- D. Approval of Bills

15/A

Annette Nevarez, Urban County Director, stated that the amount to be used for each home, including labor in this program, is approximately \$3,000.00. A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve six housing rehab grants under the City of Donna's Housing Rehabilitation Program for Year 1991.

MOTION CARRIED.
SEE "EXHIBIT L"

15/B

Judge called public hearing open to discuss the amendments to the Year 4 budgets for Precincts One and Two. It was noted in the hearing that the amendments were basically to transfer \$60,000.00 from Precinct One to Precinct Two to comply with a contract with the City of Alamo. There being no further comments the Judge declared this public hearing closed.

NO ACTION.
SEE "EXHIBIT L"

15/C

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve amendments to Year 2, as presented.

MOTION CARRIED.
SEE "EXHIBIT L"

15/D

A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to approve the 1988 Urban County bill #2856 in the amount of \$3,150.00; the 1990 Urban County bills #2857 thru #2863 in the amount of \$72,830.86; the 1991 Urban County bills #2864 thru #2867 in the amount of \$31,611.94 and the 1990 Emergency Shelter Grant bill #2868 in the amount of \$3,916.52. The total Urban County memorandum to be approved is \$111,509.32.

MOTION CARRIED.
SEE "EXHIBIT L"

BACK TO REGULAR ORDER OF AGENDA.

ITEM 5. SELECTION OF APPRAISAL DISTRICT BOARD OF DIRECTORS

Judge Ruiz explained that every two years an appraisal district board was selected for the County of Hidalgo. The votes are distributed by formula based on tax levy and the percentage of the tax levy and the County would acquire a certain number of votes for every taxing entity in the County. The County's distribution of votes is 1,420; it is mandatory for

any candidate to win to have a minimum amount of 840 votes. He stated that because of this the County could insure one candidate and he was recommending Mr. Brinkley Oxford who had, by previous action, been nominated by the Commissioner's Court.

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, out of the 1,420 votes, to cast 840 to Mr. Brinkley Oxford.

MOTION CARRIED.
SEE "EXHIBIT C"

The Judge then noted that there was a remaining balance of 580 votes and this would be split equally among the Commission, with each member getting 116 votes. Commissioner Salinas cast his 116 votes in favor of Mr. Amador Requenez and also asked for the support of the other Commissioners. Judge Ruiz then mentioned that there was a total of nine candidates, being considered for the Board, and they were Raul Flores, Victor Garcia, Richard Garza, Octaviano "Tony" Gonzalez, Paul Moffitt, Brinkley L. Oxford, Gilberto Pena, Amador Requenez and Ruben Yzaguirre.

Commissioner Camarillo cast his votes in favor of Mr. Richard Garza, Commissioner Arcaute for Mr. Ruben Yzaguirre and Commissioner Cavazos for Richard Garza. Judge Ruiz then split his votes among the three nominees, as follows: 40 votes for Amador Requenez, 38 for Richard Garza and 38 for Ruben Yzaguirre. The total for each nominee then stood at 156 votes in favor of Amador Requenez, 270 for Richard Garza and 154 for Ruben Yzaguirre.

A motion was then made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve 156 votes for Amador Requenez, 270 for Richard Garza and 154 for Ruben Yzaguirre, for a total of 580 votes.

MOTION CARRIED.
SEE "EXHIBIT C"

ITEM 6. REQUEST TO ADVERTISE FOR SELF FUNDING - WORKERS COMPENSATION

Judge Ruiz explained that this item was brought as per request by Mr. Steve Austin, County Auditor. He stated that they did not see the administrative portion as a professional service and thus the need to advertise. A motion was made by Commissioner Salinas, seconded by Commissioners Camarillo and Cavazos, to advertise for bids for a self funding program, under the Workers Compensation. Bid opening November 27th, bid award December 3rd, 1991.

MOTION CARRIED.
SEE "EXHIBIT D"

ITEM 7. DISCUSSION AND POSSIBLE ACTION ON THE COUNTY'S ON-SITE SEWERAGE ORDINANCE

Travis Heister, County Legal Counsel and Roy Tijerina, from the Health Department, came before the Court and explained that the modifications that had been recommended by the Commis-

sioners' Court had not been in conformity with the State regulations. After a lengthy discussion it was established that the State regulations be approved in their entirety. A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the County's On-Site Sewerage Policies.

MOTION CARRIED. (COMMISSIONER SALINAS VOTED AGAINST)
SEE "EXHIBIT E"

ITEM 8. BUDGET APPROPRIATION:

- A. Sheriff Investigation Fund - \$79,920.00

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the budget appropriation of the Sheriff's Investigation Fund of \$79,920.00, for a seizure of October 20, 1989.

MOTION CARRIED.
SEE "EXHIBIT F"

ITEM 9. INTERNAL LINE ITEM TRANSFERS:

- A. Hidalgo County Library System
- B. 370th District Court
- C. 332nd District Court
- D. Pct. 2 - Paved/Unpaved Roads
- E. Park - Pct. 4

A motion was made by Commissioner Arcaute, seconded by Commissioners Cavazos and Camarillo, to approve the internal line item transfers, as follows: Hidalgo County Library System - NO ACTION; 370th District Court - \$1,000.00; 332nd District NO ACTION; Pct. 2/Paved/Unpaved Roads - \$5,200.00; and Pct. 4/Park - \$3,000.00.

MOTION CARRIED.
SEE "EXHIBIT G"

ITEM 10. PRECINCT #1:

- A. Acceptance of Road Easements - Colonia Tijerina
- Mile 12 North East of FM 1015

Vona Walker came before the Court and stated that this was a metes and bounds subdivision, that had never been recorded. She further noted that the first lot, in this subdivision had been sold in 1965 and the last in 1983. Commissioner Camarillo, then mentioned that this colonia had been granted a loan by the North Alamo Water Supply and the reason for the acceptance of the road easements, was to put in the water lines. A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to accept the road easements of Colonia Tijerina, as presented.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 11. PRECINCT #4:
A. Acceptance of Road Easements - Navarro-Fuentes
Subdivision

Vona Walker stated that this was a similar situation, with the exception that the lots were being sold under contract. Commissioner Camarillo mentioned that there was a family who had applied for a building permit, but they had been denied, due to the fact that their lot was not adjacent to a public road. Commissioner Salinas argued that the road was the responsibility of the developer and not of the County. During discussion, Commissioner Arcaute asked Travis Heister for legal advice pertaining to these easements. After further discussion, a motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to accept the road easement from Navarro-Fuentes subdivision, as proposed. (NOTE: This action was rescinded in Item 14/A/7)

MOTION CARRIED. (COMMISSIONER SALINAS VOTED AGAINST)

ITEM 12. ECONOMIC DEVELOPMENT - J.D. Salinas
A. Request for hearing for a variance to the
Hidalgo County Subdivision Regulations - Paula
Reyes

J.D. Salinas came before the Court and introduced the request for a variance by Paula Reyes. He stated that Mrs. Reyes had been denied a permit due to the fact that her property was not adjacent to a County road. Mrs. Reyes was proposing to give thirty feet for an easement. The Judge then asked her if she would be paving that road and Mrs. Reyes went into the history of her tract. After a brief discussion the Commissioners asked that this site be explained to them further. The Commission then asked that why couldn't she give the whole fifty feet and in that way avoid problems in the future and she stated that if she did that then the lots would be narrower. Judge then noted that since the subdivision was not adjacent to a public road then the subdivision could not be approved. The Judge then tried to explain the problem to Mrs. Reyes and offered other recourses to her. After further discussion, a motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to reject the request for variance.

MOTION CARRIED.
SEE "EXHIBIT I"

The discussion continued regarding the previous item and the subdivision regulations.

ITEM 13. PURCHASING DEPARTMENT:
A. Award bid for copiers - County Wide

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the recommendation by Mr. Gonzalez, Purchasing Director, for the rental and/or purchase of copiers, for a period of two years.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 14. PLANNING DEPARTMENT:

A. Subdivisions:

1. Hidalgo-Starr Rehab. Subdivision, Pct. 2
2. Trevino's Acre, Pct.
3. Resubdivision Lot 20 Block 29, Balboa Acres Subdivision, Pct. 2
4. Wal-Mart Subdivision No. 2, Pct. 2
5. Lots 1 Thru 28 Camelot Retirement Community, Pct. 2
6. Northgate Estates, Pct. 4
7. Navarro-Fuentes Estates, Pct. 4

14/A/1

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the map of Hidalgo-Starr Rehab. Subdivision, which is located approximately 350 feet north Expressway 83 on the east side of 8th Street, in the City of McAllen, in Precinct Two.

MOTION CARRIED.
SEE "EXHIBIT K"

14/A/2

A motion was made by Commissioner Cavazos, seconded by Commissioner Salinas, to approve the map of Trevino's Acre, which is located approximately 500 feet South Ridge on the west side of Jackson Road, in the City of McAllen in Precinct Two.

MOTION CARRIED.
SEE "EXHIBIT K"

14/A/3

A motion was made by Commissioner Cavazos, seconded by Commissioner Camarillo, to approve the map of the Resubdivision of Lot 20 Block 29, Balboa Acres Subdivision, which is located approximately 600 feet west of 23rd Street on the north side of Gloria Avenue, in the City of McAllen, in Precinct Two.

MOTION CARRIED.
SEE "EXHIBIT K"

14/A/4

A motion was made by Commissioner Cavazos, seconded by Commissioner Camarillo, to approve the map of Wal-Mart Subdivision No. 2, which is located on Expressway 83 and on the east side of Jackson Avenue, in the City of McAllen, in Precinct Two.

MOTION CARRIED.
SEE "EXHIBIT K"

14/A/5

A motion was made by Commissioner Cavazos, seconded by Commissioner Camarillo, to approve the map of Lots 1 thru 28 Camelot Retirement Community, which is located approximately 1200 feet south of Ridge Road and on the east side of Cynthia Avenue, in the City of McAllen, in Precinct Two.

MOTION CARRIED.
SEE "EXHIBIT K"

14/A/6

NO ACTION.

14/A/7

Emilio Garcia stated that this subdivision was now valid since the road easements had been accepted through previous action. A lengthy discussion then followed pertaining to the subdivision regulations and how they pertained to the actions taken by this Court today. It was during this discussion that the issue of the easements accepted in Item 11 was brought up. The Judge stated that the action taken on Item 11 was a problem due to the fact that by doing so the County was accepting a lot of liability. The Judge then asked if in the road easement, was the County accepting only the road easement for Navarro-Fuentes or for the whole subdivision. He then asked that the Court's previous action on Item 11 be rescinded and addressing Commissioner Camarillo, he said that by accepting this subdivision it would establish a precedence, but he said that he would support him, in his decision on this matter. Commissioner Camarillo then asked the Judge for a solution on this matter and the Judge suggested that the developer would have to pave this road. Commissioner Camarillo then requested that the building permit be waived, while he worked this out with the developer.

A motion was then made by Commissioner Camarillo, seconded by Commissioner Salinas, to rescind the Court's action accepting a road easement of Navarro-Fuentes subdivision.

MOTION CARRIED.

A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to authorize the Planning Department to issue a building permit and all necessary permits for them construct.

MOTION CARRIED.

ITEM 16. PERMITS:

- A. Rio Grande Valley Gas Company, Pct. 1
- B. North Alamo Water Supply, Pcts. 1 & 4
- C. Valero Transmission, L.P. - Pct. 2
- D. Sharyland Water Supply, Pct. 3
- E. La Joya Water Supply, Pct. 3

16/A

A motion was made by Commissioner Cavazos, seconded by Commissioner Camarillo, to approve a request for permit by Rio Grande Valley Gas Company, for a four inch line to go along the south side of Malone Drive to Mile 2 West and south on the west side of Mile 2 West to one half mile south of U.S. 281, in Precinct #1.

MOTION CARRIED.
SEE "EXHIBIT M"

16/B

A motion was made by Commissioner Cavazos, seconded by Commissioner Camarillo, to approve a request for permit by North Alamo Water Supply, for eleven meter connections, in Precincts #1 and #4.

MOTION CARRIED.
SEE "EXHIBIT M"

16/C

NO ACTION.

16/D

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve a request for permit by Sharyland Water Supply, for two road crossings, one is to cross the center line of Palm Drive, 2480 feet north of 2221 and the other is for water line in which they will bore Moorefield Drive, in Precinct #3.

MOTION CARRIED.
SEE "EXHIBIT M"

16/E

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve a request for permit by La Joya Water Supply, to provide service to Basham Subdivision No. 25, in which they will cross Moorefield Road and then they will lay an eight inch line on the three foot line of the right of way, in Precinct #3.

MOTION CARRIED.
SEE "EXHIBIT M"

A questions and comments session followed with the following items discussed:

Judge Ruiz reminded the Court of the Workshop to be held tomorrow morning concerning the proposed jail facility and urged all the Commissioners to attend.

Commissioner Camarillo then enlightened the Court about his trips to Austin, representing the County in discussions, with the State Health Department and also his trip to Washington for the Border Trade Alliance.

A lady from the public came also and asked when the road in their colonia would be fixed. She mentioned that the road easements that had previously been approved were not the ones from her colonia; this was followed with a brief discussion.

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

MOTION CARRIED.

DRAINAGE

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

ITEM 1. LINE-ITEM TRANSFER

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to approve a line item transfer in the amount of \$32,700.00. (NOTE: This is in reference to West Main Drain Phase III)

MOTION CARRIED.
SEE "EXHIBIT N"

There being no further business to come before the Drainage District, a motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to adjourn said meeting.

MOTION CARRIED.

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

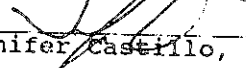
Norberto Salinas
County Commissioner, Precinct #3

Leonard Camarillo
County Commissioner, Precinct #4



this 5TH day of NOVEMBER, 1991.

WILLIAM R. LEO, COUNTY CLERK

By: 
Jennifer Castillo, Deputy