

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 28TH day of
JANUARY, 1992, 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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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 - January 13, 1992

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the minutes of January 13, 1992, as presented.

MOTION CARRIED.

ITEM 2. APPROVAL OF BILLS - County Auditor

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the bills, as follows: in the General Fund bills #76,340 thru #76,595 totaling \$590,464.87; in the Special Revenue Fund bills #73884 thru #74071 totaling \$993,562.75; in the Debt Service Fund bills #793 thru #796 in the amount of \$102,178.01; in the Capital Projects Fund bills #4420 thru #4427 in the amount of \$88,635.32 and in the Enterprise Fund bills #1001 thru #1012 in the amount of \$4,423.39.

MOTION CARRIED.

ITEM 3. APPROVAL OF ATTORNEYS'S FEES IN THE AMOUNT OF \$79,905.49

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the court appointed attorneys' fees in the amount of \$79,905.49. (NOTE: These are 1991 & 1992 claims.)

MOTION CARRIED.
SEE "EXHIBIT A"

ITEM 4. APPROVAL OF MONTHLY FEE REPORTS:

A. Constables:

1. Roberto Pena	- \$	45.00	-	December
2. Eduardo Bazan	- \$	0.00	-	" "
3. Genovevo Quintanilla	- \$	130.00	-	" "
4. Rumaldo Cerda	- \$	90.00	-	" "
5. Horacio Aguirre	- \$	1,036.00	-	" "

B. Anzaldua's Park

- \$ 1,036.00 - " "

C. Justice of the Peace:

1. Guadalupe Garces	- \$	13,310.03	-	December
2. Esperidion Jackson	- \$	1,440.75	-	" "
3. Jesse Morales	- \$	9,000.86	-	" "
4. R.G. Perez	- \$	3,042.50	-	" "
5. Ruben Ramos	- \$	4,346.77	-	" "

4/A

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve the Constables'

(01/28/92)

monthly fee reports, for the month of December, as presented.

MOTION CARRIED.
SEE "EXHIBIT B"

4/B

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to approve the Anzaldua's Park December report, totaling \$1,036.00.

MOTION CARRIED.
SEE "EXHIBIT B"

4/C

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve the December reports for the Justices of the Peace.

MOTION CARRIED.
SEE "EXHIBIT B"

ITEM 5. MENTAL HEALTH / MENTAL RETARDATION:

- A. Approval of reappointment to MH/MR Board of Trustees

Judge Ruiz informed the Court that there were four appointees that serve on the Board for MH/MR. He stated further that he had sent each one of the Commissioners a copy of a letter, requesting any other nominations aside from the requested reappointments. After further discussion, wherein Commissioner Salinas submitted the nominations of Annette B. Thompson and Esteban Trevino, it was requested that no action be taken until next week on this item.

NO ACTION.

ITEM 6. DELINQUENT TAX ATTORNEY:

- A. Consideration and approval for the renewal of Delinquent Tax Contract
B. Approval of resolution for the consideration of additional penalty for collection cost

6/A

Judge Ruiz explained that this was an ongoing contract that the County has had for the past four years and there was no change in the contract, in terms of the amount of payment, etc. A motion was then made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve a renewal for our delinquent tax contract with Calame, Linebarger, Graham & Pena, for a period of two years, also the motion does include the exemption of the bidding procedure, under professional services.

MOTION CARRIED.
SEE "EXHIBIT C"

Mr. Juan Pena then came before the Court and commented briefly on the Activity Report for the Collection of Delinquent Taxes, which he presented to Commissioners' Court.

NO ACTION.
SEE "EXHIBIT C"

6/B

Judge Ruiz informed the Court that there was a penalty and interest charge on all delinquent taxes and we were the only County that paid the attorney from the taxes collected. He then mentioned that all other counties were charging an additional 15% penalty charge to go towards the attorney, in this manner all taxes go to the County. The Judge then introduced a resolution which would impose the 15% penalty charge on all delinquent taxes from 1992 on. A discussion then ensued with comments from Judge Ruiz, Commissioners Salinas and Camarillo, as well as from Juan Pena. A motion was then made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve a resolution for the imposition of an additional penalty in taxes, which is actually the 15% of attorney's fees.

MOTION CARRIED.
SEE "EXHIBIT C"

- ITEM 7. HIDALGO COUNTY JUVENILE PROBATION DEPARTMENT:
- A. Ministerial approval of TJPC-A-108-92 State Aide Grant Adjustment
 - B. Approval of Contracts for Juvenile Services for Residential and Non-Residential Services.

7/A

Mr. Israel "Buddy" Silva came before the Court requesting ministerial approval of an adjustment of \$8,000.00, to go from residential to other professional services. A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to adjust the state aide grant program by \$8,000.00, by moving residential money into professional services, in the amount of \$8,000.00.

MOTION CARRIED.
SEE "EXHIBIT D"

7/B

Buddy Silva informed the Court that these contract renewals were for services provided to juveniles referred to the Juvenile Department and they were basically for residential services and non-residential services, as well as contracts with psychologists. A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve contractual agreements between the Juvenile Services, Hidalgo County and the Youth Village, La Esperanza Inc., Buckner Baptist, Shoreline Inc., Gulf Coast Trades Center, Dr. Gary Whitworth, Dr. Israel Cuellar and the Texas Key Program Inc.; these are for residential and non-residential services and the contracts are for one year.

MOTION CARRIED.
SEE "EXHIBIT D"

- ITEM 8. ALLOCATION OF PARK PCT. 4 FUNDS:
- A. Internal line item transfer
 - B. Appropriate 1991 Park 4 surplus funds to Park Pct. #1 1992 budget

8/A&B

Judge Ruiz reminded the Commission that funds had been transferred from Pct. #4 Parks to Pct. #1 Parks and

for Pct. #4 Road and Bridge, by transferring three employees to Pct. #1 Park and creating two others. The Judge then stated that the amount to be transferred from Parks Pct. #4 to Road and Bridge Pct. #4 is \$47,499.30; the amount to be transferred from Pct. #4 Parks to Pct. #1 Parks is \$39,976.71; the transfer of funds from Pct. #4 Parks to Pct. #1 Parks is also \$22,605.00 and the last transfer is from Pct. #4 Parks to Pct. #1 Parks in the amount of \$4,395.00 and from the surplus funds of Pct. #4 Parks to Precinct One Parks \$2,820.53. A motion was then made by Commissioner Camarillo, seconded by Commissioner Cavazos, to approve these transfers.

MOTION CARRIED.
SEE "EXHIBIT E"

- ITEM 9. INTERNAL LINE ITEM TRANSFERS:
 - A. J.P. Pct. #3 Pl. #2
 - B. Buildings and Grounds
 - C. Pct. #2 - Paved/Unpaved

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to approve the internal line item transfers, as follows: J.P. Pct. #3 Pl. #2 - \$21.00; Buildings and Grounds - \$147.00; Pct. #2/Paved/Unpaved - \$5,000.00.

MOTION CARRIED.
SEE "EXHIBIT F"

- ITEM 10. APPROVAL OF MODIFICATION TO THE APPROVED VOTING PRECINCTS AS PER MANDATORY CHANGES MADE BY THE FEDERAL COURT DISTRICT PLANS

Judge Ruiz informed the Court that as per changes made by the Federal Court's district plan, Mr. Noe Cavazos, from the County Judge's office, and Noe Perez, from the Voter Registration Office, had been working with Bickerstaff, Heath and Smiley, to prepare maps and issue out new voter registration cards. Mr. Noe Cavazos then came before the Court and explained the changes that had been made since the last redistricting, back in October. He explained that previously eighty-nine (89) voting precincts had been approved and since then four more had been established, bringing the total number of voting precincts to ninety-three (93). He then went on to indicate the changes that had been made in the State Rep lines and the Senate lines, as well as to the voting precinct lines. A discussion then ensued regarding the issuance of the voting cards and the margin of error in establishing residence with voting precinct. A motion was made by Commissioner Arcaute, seconded by Commissioner Salinas, to approve a resolution revising and readopting County election precincts.

MOTION CARRIED.
SEE "EXHIBIT G"

- ITEM 11. ANTHONY COVACEVICH - Adm. Ast.
 - A. Presentation on Valley Mobility Plan

Anthony Covacevich came before the Court to introduce

a Valley Mobility Plan. This, in essence, is an effort to provide a unified plan to the Texas Department of Transportation for improvements in the Rio Grande Valley. The State of Texas will be receiving a \$500 million increase in funds, due to some changes with the reauthorization of the Service Transportation Act of 1991. For Hidalgo County, the officials from the Hidalgo County cities and the County have been meeting on a regular basis to come up with a plan that includes short range and long range improvements. He then went into a detailed explanation of the improvements that this plan includes, such as improvements to all the proposed and existing international bridges, the completion of U.S. Highway 281, and a loop around the entire County, for future growth. He said that this was being done due to an increase in trade between the United States and Mexico through the Rio Grande Valley area. He mentioned that this included the participation of cities and Counties near the border area.

NO ACTION.
SEE "EXHIBIT H"

- ITEM 12. PCT. #3:
A. Authorization to install Blinking Lights at 4 Mile Line and Trooper Road

Commissioner Salinas informed the Court that a four-way stop sign had been previously approved at this intersection and he was now requesting approval for the installation of blinking lights, as well. A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to authorize the installation of a blinking light at 4 Mile Line and Trooper Road.

MOTION CARRIED.

- ITEM 13. ECONOMIC DEVELOPMENT - J.D. Salinas:
A. Request for hearing - Subdivision appeal

J.D. Salinas came before the Court and introduced the request of Mr. Al Rogers, who was requesting a variance on the subdivision regulations to do a family partition without conveying the road within the subdivision, to the County. Mr. Al Rogers then came forward and stated that the reason for his request was to keep the road private from any unwanted outsiders. He stated further that he and his family would be responsible for the paving and maintaining of this road. A discussion then ensued regarding the problems that Mr. Al Rogers could possibly face in the future with respect to the acquiring of utility services, such as water, electricity and the possibility of selling the land in the future. A discussion ensued with comments from the Commission, Mr. Al Rogers, Travis Heister, the County Legal Counsel and Emilio Garcia, County Chief Planner. A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to provide a variance whereby the road that he [Mr. Al Rogers] is going to yield be private and that approval be contingent on that all utility companies approve and commit to provide individual service for individual lots.

MOTION DENIED. (COMMISSIONERS CAVAZOS AND ARCAUTE VOTED IN FAVOR OF THE MOTION; COMMISSIONERS SALINAS AND CAMARILLO VOTED AGAINST; JUDGE CAST DECIDING VOTE, VOTED AGAINST.)

- ITEM 14. PURCHASING DEPARTMENT:
 - A. Request to Advertise:
 - 1. Materials for construction of Courtrooms - Judicial Building

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to authorize for the advertising for the construction of two Master Courtrooms, within Hidalgo County's Courthouse; it will be material and labor. Bid opening February 19, 1992, bid award February 25, 1992.

MOTION CARRIED.
SEE "EXHIBIT I"

- ITEM 15. PLANNING DEPARTMENT:
 - A. Subdivisions:
 - 1. Casa de Esperanza Subdivision - Pct. #1
 - 2. Concord Subdivision - Pct. #2
 - 3. Mission Business Subdivision - Pct. #3
 - B. Preliminary Subdivision:
 - 1. Tula Rosa Subdivision - Pct. #3

15/A/1

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the map of Casa de Esperanza Subdivision, which is located on the southwest intersection of North 5th St. and North Avenue, within the City of Donna, in Precinct One.

MOTION CARRIED.
SEE "EXHIBIT J"

15/A/2

NO ACTION

15/A/3

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the map of Mission Business Subdivision, which is located on the south side of U.S. Expressway 83 and to the west side of Los Ebanos Road, within the City of Mission, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT J"

15/B

After a discussion regarding the percolation test, a motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to TABLE the map of Tula Rosa Subdivision, which is located on the northeast corner of 6 Mile Line and Brushline, in Precinct Three.

MOTION CARRIED. (COMMISSIONER ARCAUTE VOTED AGAINST THE
SEE "EXHIBIT J" MOTION.)

- ITEM 16. URBAN COUNTY:
 - A. City of Edcouch - Rescind a 1990 Economic Development Loan Agreement with Comunidades Unidas Por Mejoramiento, Inc.
 - B. City of Hidalgo - Change Order #2/Sascon Inc. Water Sewer Improvements - Years 1, 2, 3

- C. City of Palmview - Professional Services Contract (Management Consultant)
- D. Approval of bills

16/A

Annette Nevarez appeared before the Court requesting that the Commission rescind an economic development loan agreement with Comunidades Unidas Por Mejoramiento; the loan amount was for \$13,390,56. After a lengthy discussion concerning how the City of Edcouch had been using their Urban County funds, a motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the request from the City of Edcouch rescinding the economic development loan agreement with Comunidades Unidas Por Mejoramiento, Inc.

MOTION CARRIED.
SEE "EXHIBIT K"

16/B

After discussion regarding the amount of the change order and the budget amendment made, a motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve a change order #2 for Sascon Inc. in the amount of \$5,975.00; this is an increase.

MOTION CARRIED.
SEE "EXHIBIT K"

16/C

Miss Nevarez stated that the scope of services in this contract would basically include the program overview, advise and initiate any budget amendments that need to be done with the City Council and also provide any project reportings to the City Commission on a regular basis. The Consultant will only be paid upon the presentation of a statement for services rendered. After further discussion, a motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to approve a management consulting contract between Ricardo Gomez and Associates, the County of Hidalgo and the City of Palmview in the amount of \$15,000.00.

MOTION CARRIED.
SEE "EXHIBIT K"

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, on the contract to Mr. Ricardo Gomez and Associates, that it be exempt from the bidding procedure under professional services.

MOTION CARRIED.

16/D

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the 1989 Urban County bills #3085 and #3086 in the amount of \$8,928.75; the 1990 Urban County bills #3087 thru #3093 in the amount of \$49,115.19; the 1991 Urban County bills #3094 thru #3107 in the amount of \$63,834.63 (NOTE: This does not include #3101); the 1990 Rental Rehab Program bill #3108 in the amount of \$8,181.39; the 1990 Emergency Shelter Grant bill #3109 in the amount of \$2,156.58 and the 1991 Emergency Shelter Grant bill #3110 in the amount of \$909.81. The total Urban County memorandum to be approved is \$133,126.35.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 17. DEPARTMENT OF COMMUNITY AFFAIRS:
A. Amendment to the Approved Title II-A Plan Modifi-
cation, II-B RFP

Mr. Frank Briones came before the Court requesting approval of an amendment to the Title II-A Plan. He went on to mention that the amount that had previously been approved was being reduced by \$993,761.00, due to findings by the Department of Commerce. A lengthy discussion then arose regarding the vast amount of the decrease, what the reason for this might be and also how to avoid this kind of problem in the future. A motion was then made by Commissioner Camarillo, seconded by Commissioner Arcaute, to amend the Title II-A plan, by reducing it from an amount of \$11,837,124.00 to \$10,843,363.00.

MOTION CARRIED.
SEE "EXHIBIT L"

After an explanation, by Mr. Frank Briones, and a discussion, a motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to authorize the advertising of the RFPs (Request for Proposal).

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 18. PERMITS:
A. Southwestern Bell - Pct. #4

A motion was made by Commissioner Arcaute, seconded by Commissioners Salinas and Cavazos, to approve a request for permit by Southwestern Bell, to go along Mile 17 1/2 North beginning at its intersection with Sharp Road and going west for 678 feet, in Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT M"

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.

DRAINAGE DISTRICT

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

ITEM 1. INTERNAL LINE ITEM TRANSFER

Ms. Vona Walker explained that \$57,000.00 was to take care of the change order with Foremost Paving and the remainder was for some engineering bills. A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve the internal line item transfers of \$68,772.64.

MOTION CARRIED.
SEE "EXHIBIT M"

- ITEM 2. REQUEST TO ADVERTISE:
- A. One (1) Loader with Backhoe
 - B. Two (2) 4-Wheel Drive Pickups

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to authorize the advertising for the purchase of one loader with backhoe, two 4-wheel drive pick-ups; bid opening to be February 19, bid award to be February 25, 1992.

MOTION CARRIED.
SEE "EXHIBIT O"

Commissioner Salinas then asked the Commissioners for their thoughts, in the matter of a subdivision that was being built in the floodway easements.

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

Dated this 28TH day of JANUARY, 1992.



LEO, COUNTY CLERK

By: _____
Jennifer Castillo, Deputy