

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 23RD day of JUNE, 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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JUNE 23, 1992

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

BY CONSENSUS THE COURT COMMENCED WITH ITEM 22.

ITEM 22. U.S. FISH AND WILDLIFE:
A. Presentation of check

Mr. Larry Ditto, from U.S. Fish and Wildlife, came before the Court to present a check in the amount of \$117,952.00 which represents the payment from the U.S. Fish and Wildlife Service to the County, in lieu of taxes, for lands that have been acquired for the National Wildlife Refuge System, primarily the Lower Rio Grande Valley National Wildlife Refuge. A discussion then ensued regarding brush growth and flood control, with comments from Mr. Ditto and Commissioner Salinas.

NO ACTION.

ITEM 1. APPROVAL OF BILLS - County Auditor

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve in the General Fund bills #80700 thru #80863 in the amount of \$91,866.57; in the Special Revenue Fund bills #77804 thru #77988 totaling \$198,424.59; in the Debt Service Fund bills #826 and #827 in the amount of \$153.22; in the Capital Projects Fund bills #4519 thru #4524 in the amount of \$33,016.01 and in the Trust and Agency Fund bills #3005 thru #3016 in the amount of \$65,691.77.

MOTION CARRIED.

ITEM 2. APPROVAL OF COURT REPORTERS' FEES:
A. Ben Petty - \$922.00
B. Francisco B. Moreno - \$ 47.00

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve court reporters' fees, as presented.

MOTION CARRIED.
SEE "EXHIBIT A"

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:
A. Sheriff's Department - \$167,604.86 - May
B. Justice of the Peace:
1. Arnaldo Corpus - \$ 6,440.47 - May
2. Rosa Trevino - \$ 3,886.31 - "
3. R.G. Perez - \$ 2,719.00 - "
C. Constables:
1. Roberto Pena - \$ 90.00 - May
2. Eduardo Bazan - \$ 0.00 - May

3. Genovevo Quintanilla	- \$	85.00	- "
4. Rinaldo Cerda, Jr.	- \$	160.00	- "
5. Horacio Aguirre	- \$	0.00	- "

3/A

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the Sheriff's report for the month of May, totaling \$167,604.86.

MOTION CARRIED.
SEE "EXHIBIT B"

3/B

A motion was made by Commissioner Cavazos, seconded by Commissioner Salinas, to approve JP reports, as presented.

MOTION CARRIED.
SEE "EXHIBIT B"

3/C

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the Constables fee reports for the month of May, as presented.

MOTION CARRIED.
SEE "EXHIBIT B"

ITEM 4. LAW LIBRARY:

A. Approval of Contract for Services

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve a contract between the County of Hidalgo, the Hidalgo County Law Library and Mr. Pedro Reyes, Jr.; contract is for a period of one year.

MOTION CARRIED.
SEE "EXHIBIT C"

ITEM 5. AUTHORIZATION TO MOVE EFFECTIVE DATE OF BENEFIT PLAN (HEALTH INSURANCE) FROM AUGUST 1, 1992 TO JANUARY 1, 1993 - Risk Manager

Amber Etnire, Risk Manager, came before the Court to request the extension of the current contract, to January 1, 1993, so as to maintain the fixed cost at the same level for all of 1992. A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to authorize an extension of the contract, with Third Party Administrators, for the group health benefit plan, to extend it through January 1st, 1993, with all the fore points that are mentioned, in this, letter of engagement; the only change would be effective August 1st, the stop-loss would change from \$100,000.00 to \$75,000.00.

MOTION CARRIED.
SEE "EXHIBIT D"

ITEM 6. CONSIDERATION AND APPROVAL OF APPOINTMENTS TO THE

HIDALGO COUNTY CHILD PROTECTIVE SERVICES BOARD

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to authorize a waiver, of three nominees, for each vacancy and appoint Delia B. Barrera, Rene Medrano and Oralia M. Salinas, to the Hidalgo County Child Protective Service Board.

MOTION CARRIED.
SEE "EXHIBIT E"

ITEM 7. COUNTY CLERK:

- A. Request to advertise for Optical Scanner for official records

After a discussion regarding the need to advertise, a motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to authorize for the request for proposals for a high-tech records storage system, for the County Clerk's Office; bid opening July 15th, bid award July 21st.

MOTION CARRIED.
SEE "EXHIBIT F"

ITEM 8. DISTRICT CLERK:

- A. Request to advertise for Jury Summon Cards

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to authorize the advertising for bids for the purchase of jury summons cards, for the District Clerk's Office; bid opening July 15th, bid award July 21st.

MOTION CARRIED.
SEE "EXHIBIT G"

ITEM 9. ADULT PROBATION DEPARTMENT:

- A. Request to Advertise for Passenger Van - Restitution Center

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to authorize the advertising for bids for the purchase of a passenger van, for the Restitution Center; bid opening July 15th, bid award July 21st.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 10. INTERNAL LINE ITEM TRANSFERS:

- A. Health Department:
1. Surveillance Grant
2. TB Control Grant
3. Adult Health Grant
4. MIHIA Grant
5. Naternal/Child Grant
6. Community Rural Grant

(06/23/92)

- 7. HIV Division Grant
- 8. Administration
- 9. Mobile Clinic
- B. Youth Village
- C. Drug Impact Court
- D. Adult Probation (State Funds)
- E. Juvenile Probation Department (State Funds)
- F. Juvenile Probation Department (General)
- G. Traffic Control
- H. Precinct #1
- I. Precinct #2 - Paved and Unpaved

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the internal line item transfers, as follows: Health Dept./Surveillance Grant - \$3,400.00; Health Dept./TB Control Grant - \$3,500.00; Health Dept./Adult Health Grant - \$2,056.71; Health Dept./MIHIA Grant - \$14,000.00; Health Dept./Maternal/Child Grant - \$27,446.11; Health Dept./Community Rural Grant - \$1,881.81; Health Dept./HIV Division Grant - \$267.00; Health Dept./Administration - \$1,100.00; Health Dept./Mobile Clinic - \$500.00; Youth Village - \$3,000.00; Drug Impact Court - \$600.00; Adult Probation/State Funds - \$7,500.00; Juvenile Probation Dept./State Funds - \$1,000.00; Juvenile Probation Dept./General - \$600.00; Traffic Control - \$2,060.52; Precinct #1 - \$1,100.00; Precinct #2/Paved/Unpaved Roads - \$800.00.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 11. APPROPRIATE 1991 FUND BALANCE - General Government Buildings (RS)

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to reappropriate fund balance in revenue sharing, in the General Government Buildings, in the amount of \$14,448.44.

MOTION CARRIED.
SEE "EXHIBIT

ITEM 12. DISCUSSION OF SENATE BILL #3

Judge Ruiz informed that Court, that as per the County Auditor, all monies that were collected by the Tax/Assessor Collector in auto sales taxes had to be put into the Road and Bridge Fund. The Judge went on to state that he had sent Mr. Austin a letter requesting that he not transfer any monies until he receive a legal interpretation on this Bill, from the Texas Association of Counties. Their interpretation was that revenues collected from motor vehicle registration fees, lateral road fund and the road and bridge special tax are restricted and cannot be transferred, to the General Fund. However, revenues from other ad valorem taxes, fines, fees and penalties can be transferred. The Judge then mentioned that this item would be brought back to Court, on the following week and action would then be taken.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 13. DISCUSSION OF DELTA LAKE PARK

Judge Ruiz explained that due to the termination of the lease, Delta Lake Park was closed, pending negotiations with Delta Lake Irrigation District. He went on to say that their offer consisted on four conditions, those being that the south gate be closed, that a deputized person patrol the park at all times when the park is open, that the County must purchase adequate insurance, with a minimum coverage of \$1 million and that if at any time the County decides to collect a fee from the public, that the water district is entitled to 20% of those revenues. After discussion, it was agreed that no action be taken on this item until further negotiations are made with the Water District.

NO ACTION.
SEE "EXHIBIT L"

ITEM 14. PRECINCT #3:

- A. Discussion on Petition from citizens of the community of Nuevo Penitas/Penitas
- B. Accept Petition for election of Incorporation of Penitas
- C. Accept Resignation of Justice of the Peace Pct. #3 Pl. #2
- D. Appointment of Justice of the Peace Pct. #3 Pl. #2

14/A

After a discussion, a motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to accept a petition submitted by residents and citizens of the area of Nuevo Penitas and Penitas, protesting any other beer, or what they describe as beer joint and/or bar, within the Penitas limits.

MOTION CARRIED.
SEE "EXHIBIT M"

14/B

Jim Darling, attorney for the incorporation of the area of Penitas and Nuevo Penitas, came before the Court, requesting the acceptance of a petition for said incorporation. The petition called for the County Clerk's Office to hold the election, this was followed with a brief discussion. A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to accept a petition, for the incorporation of the area called Nuevo Penitas and Penitas and authorize our Tax/Assessor Collector to certify this petition for further action.

MOTION CARRIED.
SE "EXHIBIT M"

14/C

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to accept the resignation letter submitted by Justice of the Peace Noralinda G. Garza, from Precinct Three Place Two, effective June 30th.

MOTION CARRIED.
SEE "EXHIBIT M"

14/D

A motion was made by Commissioner Salinas, sec-

ended by Commissioner Cavazos, to approve an appointment of Mr. Ismael "Melo" Ochoa, to be Justice of the Peace Precinct Three Place Two, effective midnight July 1st, 1992.

MOTION CARRIED.

ITEM 15. PURCHASING DEPARTMENT:

A. Award bids:

- 1. Progreso Community Resource Center

At the recommendation by the engineer, a motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, authorizing that all bids received for all five individual bids be rejected and all five individual bids be readvertised; bid opening July 15th, bid award July 21st.

MOTION CARRIED.

SEE "EXHIBIT N"

ITEM 16. PLANNING DEPARTMENT:

A. Subdivisions:

- 1. Quail Subdivision - Precinct #4
- 2. Resubdivision of Lots 3A and 3B, Nolana Wal-Mart Subdivision - Precinct #4
- 3. WEST Chapin Estates Subdivision - Precinct #4

B. Release Letter of Credit for La Homa Groves Sub-division Units 2 and 3 - Precinct #3

16/A/1

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the map of Quail Subdivision, which is located approximately 600 feet north of FM 1925 on the east side of Doolittle Road, in Precinct Four.

MOTION CARRIED.

SEE "EXHIBIT O"

16/A/2

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

MOTION CARRIED.

SEE "EXHIBIT O"

16/A/3

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve the map of West Chapin Estates Subdivision, which is located on the southeast corner of 10th Street and Mile 17 North Road, in Precinct Four.

MOTION CARRIED.

SEE "EXHIBIT O"

16/B

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to authorize a release of the letter of credit, for La Homa Groves Subdivision Units 2 and 3, as pre-

sented.

MOTION CARRIED.
SEE "EXHIBIT O"

- ITEM 17. NOE CAVAZOS - Administrative Assistant:
- A. Approval of Resolution declaring the intent to issue Certificates of Obligation - State Prison
 - B. Appointment of Underwriter for services in conjunction with the proposed issuance of Certificates of Obligation Series 1992

17/A

Noe Cavazos, with the assistance of Mr. Richard Hernandez, came before the Court requesting approval of a certificate of resolution declaring the intent to issue Certificates of Obligation in the amount of \$857,000.00 for the purchase of the State Prison site. The amount would entail the following: Bond Counsel fees and related expenses - \$10,000.00, Financial Advisory fees and related expenses-\$13,000.00, printing of preliminary and official statements - \$8,500.00, printing of the certificates- \$1,500.00, rating agency fees - \$9,500.00; Attorney General fees-\$750.00; paying agent registrar fees- \$500.00; miscellaneous - \$2,500.00, accrued interest-\$2,050.00; rounding figure - \$1,785.00, management fee- \$4,890.00; cost to actually sell the bonds - \$4,075.00, underwriting expenses - \$500.00 and underwriter counsel - \$7,500.00 and the remainder of the costs are for acquiring the land itself and obtaining the prison. After further discussion, a motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to adopt the resolution.

MOTION CARRIED. (COMMISSIONER SALINAS VOTED AGAINST; JUDGE SEE "EXHIBIT P" RUIZ VOTED IN FAVOR)

17/B

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to appoint George K. Baum and Company, as investment bankers underwriters for Series 1992 for a prison facility.

MOTION CARRIED. (COMMISSIONER SALINAS VOTED AGAINST; JUDGE RUIZ VOTED IN FAVOR)

- ITEM 18. DEPARTMENT OF COMMUNITY AFFAIRS:
- A. Appointment of PIC member to represent Community Based Organizations

NO ACTION.

- ITEM 19. URBAN COUNTY:
- A. City of Alamo - Budget Amendments for Years 1 and 4
 - B. City of Elsa - Budget Amendment Year 4
 - C. Precinct #1 Urban County Program Year 2 - Progreso Lakes Bridge Change Order #1
 - D. Approval of payment to Irrigation District #1
 - E. Approval of bills

19/A

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the budget amendments for Years 1 and 4, City of Alamo's Urban County.

MOTION CARRIED.
SEE "EXHIBIT Q"

19/B

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve a budget amendment for Year 4, under the City of Elsa's Urban County budget.

MOTION CARRIED.
SEE "EXHIBIT Q"

19/C

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve a change order increasing the contract of Carkenord & Sons, by \$1,200.00; this is for the Progreso Lakes bridge.

MOTION CARRIED.
SEE "EXHIBIT Q"

19/D

NO ACTION.

19/E

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the 1988 Urban County bills #3546 and #3547 totaling \$2,815.00; the 1991 Urban County bills #3548 thru #3559 totaling \$30,372.10 and the 1991 Emergency Shelter Grant bills #3560 and #3561 totaling \$602.91. The total Urban County memorandum to be approved is \$33,790.01.

MOTION CARRIED.
SEE "EXHIBIT Q"

ITEM 20. PERMITS:

- A. Southwestern Bell - Precinct #3
- B. Sharyland Water Supply - Precincts #3 and #4

20/A

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve a request for two permits by Southwestern Bell, to 1) cross the 7 Mile Line, just south of the existing 107 and east of Stewart Road, they will bore and 2) to go along Brushline Road, beginning north of Mile 7, for approximately 4370 feet, both in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT R"

20/B

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve a request for five permits by Sharyland Water Supply, to 1) cross Inspiration Road 500 feet north of its intersection with Mile 6; 2) to cross Depot Road, south of its intersection with Chapin; 3) to cross Glasscock Road, south of the 7 Mile Line; 4) to cross Inspiration 2300 feet south of its intersection with FM 681 and 5) to cross Palm Drive south of its intersection with the 5 Mile Line.

MOTION CARRIED.
SEE "EXHIBIT R"

ITEM 21. EXEMPT GAS AND DIESEL PURCHASES FROM PURCHASE ORDERS

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the exemption of gas and diesel purchases from purchase orders, all invoices are to be delivered to the County Judge's Office for processing and payment.

MOTION CARRIED.

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 Norberto Salinas, County Commissioner, called the Drainage District meeting to order, whereupon the following proceedings were had, to-wit:

ITEM 1. PERMIT - City of Mission

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve a request for permit by the City of Mission, to put an entrance into the ditch that crosses Inspiration Road by Tierra Dorada, they're trying to relieve the flooding of the area of the 1 Mile Line and Inspiration Rd.

MOTION CARRIED.
SEE "EXHIBIT S"

ITEM 2. LINE ITEM TRANSFER

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve an internal line item transfer of \$500.00, from office supplies to maps.

MOTION CARRIED.
SEE "EXHIBIT T"

ITEM 3. AUTHORIZATION TO BID FOR HERBICIDE

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to authorize the advertising for bids for herbicide for the Drainage District; bid opening July 15th; bid award July 21st.

MOTION CARRIED.

SEE "EXHIBIT U"

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

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 _____ A B S E N T _____
County Commissioner, Precinct #4



_____ this 23RD day of JUNE, 1992.

_____ R. LEO, COUNTY CLERK

By: _____
Jennifer Castillo, Deputy