

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 28TH day of JULY, 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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July 28, 1992

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

ITEM 1. APPROVAL OF MINUTES - June 02, 1992

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the minutes of June 2nd, 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 in the General Fund bills #81580 thru #81813 totaling \$397,544.19; in the Special Revenue Fund bills #78661 thru #78959 totaling \$517,708.67; in the Debt Service Fund bills #831 and #832 totaling \$117,762.09; in the Capital Projects Fund bills #4543 thru 4545 in the amount of \$16,972.36; in the Trust and Agency Fund bill #3070 in the amount of \$115,257.93 and in the Enterprise Fund bills #1172 and #1173 totaling \$234.39.

MOTION CARRIED.

ITEM 3. APPROVAL OF COURT REPORTERS FEES:

A. Shirley Ralston - \$91.00

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve \$91.00 court reporters' fees to Shirley Ralston, as presented.

MOTION CARRIED.  
SEE "EXHIBIT A"

ITEM 4. RESOLUTION - Juan Mejia

After the reading of the resolution, by Judge Ruiz, a motion was made by Commissioner Camarillo, seconded by Commissioners Cavazos and Arcaute, to approve the resolution, [in honor of Juan Mejia, former Director of the Adult Probation Department.]

MOTION CARRIED.  
SEE "EXHIBIT B"

ITEM 5. CONSIDERATION AND APPROVAL OF POLLING PLACES - General Election

Florestella Chavez, Elections Coordinator, came before the Court and presented the proposed polling places for the upcoming General Election, to be held in November. A motion was then made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve all polling places, for the General Election, in November, as presented.

MOTION CARRIED.  
SEE "EXHIBIT C"

ITEM 6. DISTRICT ATTORNEY:

- A. Authorization to purchase equipment for Department of Public Safety

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to authorize the purchase of twenty-seven (27) binoculars, by our District Attorney, for the Department of Public Safety use.

MOTION CARRIED.  
SEE "EXHIBIT D"

ITEM 7. HEALTH DEPARTMENT:

- A. Approval of agreement for services between Hidalgo County and North Texas Poison Center
- B. Budget revision 1990-1991 and budget amendment 1991-1992 - MIHIA

7/A

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to authorize an agreement between the County of Hidalgo, through its Health Department and the North Texas Poison Center, for one year of service, at a total of \$1,812.00.

MOTION CARRIED.  
SEE "EXHIBIT E"

7/B

A motion was made by Commissioner Salinas, seconded by Commissioners Arcaute and Cavazos, to authorize a decrease in 1990-1991 contract from MIHIA, by \$47,873.00 and increasing the 1991-1992 contract, by same amount.

MOTION CARRIED.  
SEE "EXHIBIT E"

ITEM 8. APPROVAL OF OFFICE SPACE LEASE CONTRACT

A motion was made by Commissioner Cavazos, seconded by Commissioner Salinas, to approve a lease agreement between the State of Texas and the County of Hidalgo, for the use of Senator Carlos Truan; lease to run from August 1st, 1992 through July 31st, 1993; the rate per month to be \$218.00.

MOTION CARRIED.  
SEE "EXHIBIT F"

- ITEM 9. INTERNAL LINE ITEM TRANSFERS:
- A. Voter Registration
  - B. Lunacy Trials
  - C. Pct. #1 - Paved/Unpaved Roads
  - D. Computer Department
  - E. Adult Probation - General Fund
  - F. Restitution Center - State Funds
  - G. Health Department - Mobile Clinic
  - H. Juvenile Probation - State Funds
  - I. County Court at Law #3
  - J. 139th District Court

A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to approve the internal line item transfers, as follows: Voter Registration - \$500.00; Lunacy Trials - \$160.00; Pct. #1/Paved/Unpaved Roads - \$700.00; Computer Department - \$200.00; Adult Probation/General Fund - \$450.00; Restitution Center/State Funds - \$20,500.00; Health Department/Mobile Clinic - \$248.60; Juvenile Probation/State Funds - \$700.00; County Court at Law #3 - 300.00; 139th District Court - \$4,050.00.

MOTION CARRIED.  
SEE "EXHIBIT G"

- ITEM 10. TRANSFER OF FUNDS FROM GENERAL FUND LANDFILL INTO ENTERPRISE FUND

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to transfer \$127,046.54, which is the original budget, so that all expenses reflect under the Enterprise fund. (NOTE: The actual remaining balance in this fund is \$50,165.41.)

MOTION CARRIED.  
SEE "EXHIBIT H"

- ITEM 11. APPROPRIATE UNAPPROPRIATED REVENUES - Enterprise Fund

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to appropriate \$65,000.00 of revenues in the Enterprise Fund, as presented.

MOTION CARRIED.  
SEE "EXHIBIT I"

- ITEM 12. AMBER ETNIRE - Risk Manager:
- A. American Disabilities Act:
    1. Approve grievance procedure and partial transition plan

Amber Etnire, Risk Manager, came before the Court, to request approval of a grievance procedure and a partial transition plan, from the American Disabilities Act. This law was passed by the Legislature on July 26, 1992 and all renovations, to all County buildings, must be completed by January 26th, 1995. As part of the grievance procedure, a grievance commit-

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tee has to be appointed, to oversee any possible renovations, that may assist handicapped patrons, who do business with the County. After further discussion, a motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve the grievance procedure, that we have established; the grievance committee would be, Amber Etnire, David Vanderhoeff, J.D. Salinas, from the County Judge's Office, Emilio Garcia, from the Planning Department, Cynthia Villanueva, from the District Attorney's Office, Pauline Gonzalez, from the District Clerk's Office and David Neubaur, from the Sheriff's Department.

MOTION CARRIED.

Amber Etnire then went through a preliminary list of renovations that needed to be done in order for the County to comply with the transition plan. After further explanation and discussion, a motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to authorize and approve the partial transition plan, to comply with the American Disability Act, as presented.

MOTION CARRIED.

SEE "EXHIBIT J"

- ITEM 13. ECONOMIC DEVELOPMENT - J.D. Salinas
- A. Approval to enter into interlocal agreement with the City of McAllen and Hidalgo County - Drug Impact Court/II - Cash match
  - B. Authorization to submit grant application to the Texas Narcotic Control Program - H.I.D.T.A.

13/A

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve an interlocal agreement, between the City of McAllen and the County of Hidalgo for the cash match, to the Drug Impact Court, Second Year; the amount is \$57,341.00.

MOTION CARRIED.

SEE "EXHIBIT K"

13/B

After a discussion, regarding the proposed grant, a motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to authorize the submittal of a grant application, to the Texas Narcotic Control Program, for a financial disruption Task Force; grant total is \$462,821.00.

MOTION CARRIED.

SEE "EXHIBIT K"

- ITEM 14. NOE CAVAZOS - Administrative Assistant
- A. Approval of the preliminary official statement Certificates of Obligation Series 1992
  - B. Authorization to enter into interlocal cooperation agreement with the City of Edinburg for the provision of utilities for the Prison Site
  - C. Authorization to sponsor the City of Edinburg on the submittal of a grant application to the Texas Department of Highways and Transportation for the paving of Cibolo Road

14/A

Noe Cavazos, came before the Court, requesting approval of the preliminary official statement. He then introduced Mr. Rick Hernandez, from Evenson Dodge, who went through the schedule of events. A motion was then made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the preliminary official statement Certificates of Obligation Series 1992, totaling \$815,000.00.

MOTION CARRIED.  
SEE "EXHIBIT L"

14/B&C

After a discussion, regarding the the provision of utilities, to the Prison site, a motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the interlocal agreement between the City of Edinburg and the County of Hidalgo, for the City's undue responsibility to extend utilities, to the Prison site and also approving the request, by the City of Edinburg, to approach the Texas Department of Highways and Transportation, for the paving of Cibolo Road.

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

ITEM 15. DISCUSSION AND ACTION ON DELTA LAKE PARK LEASE CONTRACT

Judge Ruiz explained that there had been further negotiations, and the proposed lease agreement had not been changed. At this time, he was requesting that the agreement be approved, with the conditions set by the Delta Irrigation District, in order to open the park to the public. After further discussion among the Commissioners and comments from the public, a motion was made by Commissioner Cavazos, seconded by Judge Ruiz, to approve Delta Irrigation District's request, by entering into a lease agreement, that will include, a higher insurance, patrolmen and one entry, into the park.

MOTION DENIED. (COMMISSIONER CAVAZOS AND JUDGE RUIZ VOTED FOR; COMMISSIONERS SALINAS, ARCAUTE AND CAMARILLO VOTED AGAINST)

Judge Ruiz then stated that no further negotiations would be made with Delta Irrigation District, on this issue.

ITEM 16. PCT. #2:

- A. Contract for Personal Services - Life Guards
- B. Set admission rates at new swimming pool facility
- C. Accept contribution of road materials
- D. Authorization to reclassify position and set salary

16/A

A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to approve a contractual agreement between the County of Hidalgo, for personal services, by a lifeguard, with Jorge Mario Reyes; the rate is \$5.00 per hour and only during pool hours.

MOTION CARRIED.  
SEE "EXHIBIT M"

16/B

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to set the rate for admission into the swimming pool, of Precinct Two; \$1.00 for adults and \$.50 for children, based on fifteen (15) years of age.

MOTION CARRIED.

16/C

A motion was made by Commissioner Arcaute, seconded by Commissioner Salinas, to accept contribution of road material, from oil company, for Precinct Two.

MOTION CARRIED.

16/D

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to reclassify positions and set salaries, as presented.

MOTION CARRIED.  
SEE "EXHIBIT M"

ITEM 17. PCT. #3:

- A. Authorization to file injunction against Harvey La Pointe/La Pointe Subdivision
- B. Authorization to file injunction against Jane Sterling/Stewart Place Community

17/A

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to authorize the filing of an injunction against Mr. Harvey La Pointe, of La Pointe Subdivision, for non-compliance with subdivision regulations and authorize our Legal Counsel, Mr. Travis Heister, to prepare all documentation necessary, for this injunction.

MOTION CARRIED.  
SEE "EXHIBIT N"

17/B

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to authorize the filing of an injunction against Jane Sterling, of Stewart Place Community Subdivision, for non-compliance to our subdivision regulations and authorizing our Legal Counsel to pursue the injunction, as prescribed.

MOTION CARRIED.  
SEE "EXHIBIT N"

ITEM 18. PCT. #4:

- A. Resolution accepting Road Easements - Colonia Cantu

Commissioner Camarillo, with the assistance of Mrs. Vona Walker, explained to the Court, that this colonia had already gone through the Attorney General's Office, and they had

been dismissed. A discussion then ensued, with Commissioner Salinas requesting that this item be tabled until further research had been done by both the County and the Attorney General's Office. After a discussion, a motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to accept road easements.

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

ITEM 19. PURCHASING DEPARTMENT:

A. Award Bids:

1. Record Storage - County Clerk's Office

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to award bid to Title Wave, with a low bid price of \$.50 per document page, as presented.

MOTION CARRIED.  
SEE "EXHIBIT P"

ITEM 20. PLANNING DEPARTMENT:

A. Subdivisions:

1. Siegel Subdivision - Pct. #3
2. Senker Subdivision - Pct. #4

B. Preliminary Plat Approval:

1. 3 Diamond Subdivision - Pct. #4

20/A/1

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to approve the plat of Siegel Subdivision, which is located approximately 600 feet east of Bryan Road on the south side of F.M. 495, in the City of Mission, in Precinct Three.

MOTION CARRIED.  
SEE "EXHIBIT Q"

20/A/2

A motion was made by Commissioner Camarillo, seconded by Commissioner Salinas, to approve the plat of Senker Subdivision, which is located on the southwest corner of Hibiscus Avenue and 23rd Street, in the City of McAllen, in Precinct Four.

MOTION CARRIED.  
SEE "EXHIBIT Q"

20/B

A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to give preliminary approval to the plat of 3 Diamond Subdivision, which is located approximately 3/4 mile north of 3 Mile Line on the west side of La Homa Road, within the City of Mission's E.T.J., in Precinct Three.

MOTION CARRIED. (COMMISSIONER SALINAS ABSTAINED FROM VOTING)  
SEE "EXHIBIT Q"

ADDENDUM. PLANNING DEPARTMENT:

A. Preliminary Plat Approval:

- 1. The Woods at Cimarron - Pct. #3

A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to give preliminary approval to the plat of The Woods at Cimarron Subdivision, which is located between 1 Mile South Road and 2 Mile South Road on Stewart Road, in the City of Mission, in Precinct Three.

MOTION CARRIED.  
SEE "EXHIBIT Q"

ITEM 21. URBAN COUNTY:

- A. Change Order #1 - City of Alton/Sascon, Inc., Street Improvements Project (Year 4)
- B. City of Mercedes - Contract Award to Jimmy Closner & Sons Construction Co., Inc. for Parking Improvements
- C. City of Palmview - Change Order #2 - Year 4 PFI - Street Improvements
- D. Approval of bills

21/A

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to approve a change order, increasing Sascon's contract, by \$8,000.00.

MOTION CARRIED.  
SEE "EXHIBIT R"

21/B

A motion was made by Commissioner Cavazos, seconded by Commissioner Arcaute, to approve a contract award between Jimmy Closner & Sons, the City of Mercedes Urban County Year 4; the amount of money is \$9,485.40.

MOTION CARRIED.  
SEE "EXHIBIT R"

21/C

A motion was made by Commissioner Salinas, seconded by Commissioner Cavazos, to approve change order #2, totaling \$5,106.90, to Mission Paving Company's contract, with the City of Palmview and the County of Hidalgo.

MOTION CARRIED.  
SEE "EXHIBIT R"

A motion was made by Commissioner Camarillo, seconded by Commissioner Cavazos, to approve the 1990 Urban County bill #3662 in the amount of \$1,382.25; the 1991 Urban County bills #3663 thru #3673 totaling \$79,390.98 and the 1991 Emergency Shelter Grant bill #3674 in the amount of \$500.00. The total Urban County memorandum to be approved is \$81,273.23.

MOTION CARRIED.  
SEE "EXHIBIT R"

ITEM 22. DEPARTMENT OF COMMUNITY AFFAIRS:

- A. Approval of PIC Board Appointments

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A motion was made by Commissioner Salinas, seconded by Commissioner Arcaute, to appoint Mr. Mike Habig and Mr. David Salinas, to the PIC Board.

MOTION CARRIED.  
SEE "EXHIBIT S"

ITEM 23. PERMITS:

- A. Southwestern Bell - Pct. #1, #2 & #3
- B. Mission ISD - Pct. #3

23/A

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve a request for three permits by Southwestern Bell, to install a cable along Lots Rd. beginning a 1/2 mile east of F.M. 493 and going west for 620 feet, in Precinct One; in Precinct Two, to go along Gasline Rd. for 519 feet and in Precinct Three, to go along the east side of Texan Road, beginning at Mile 4 and going south approximately 2180 feet.

MOTION CARRIED.  
SEE "EXHIBIT T"

23/B

A motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to approve a request for permit by Mission ISD, to lay a three inch force main in the right of way of Trosper Road, it will run along the east side of Trosper Road, beginning approximately 1/4 of a mile north of FM 495 and going north to the Mission School, that is located on the 4 Mile Line, in Precinct Three.

MOTION CARRIED.  
SEE "EXHIBIT T"

ITEM 24. AUTHORIZATION TO SUBMIT LETTER OF CONDITIONS FOR RELEASE OF EASEMENTS - Proposed World Trade Center

After a brief discussion, a motion was made by Commissioner Salinas, seconded by Commissioner Camarillo, to authorize the Count Judge to submit the letter of conditions for release of easement, conditioned on the construction of the World Trade Center.

MOTION CARRIED.  
SEE "EXHIBIT U"

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

ITEM 1. INTERNAL LINE ITEM TRANSFER

A motion was made by Commissioner Arcaute, seconded by Commissioner Cavazos, to approve the internal line item transfer, in the amount of \$4,100.00.

MOTION CARRIED.  
SEE "EXHIBIT V"

There being no further business to come before the Drainage District, the meeting was 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 JULY, 1992.



WILLIAM L. LEO, COUNTY CLERK

  
\_\_\_\_\_  
Jennifer Castillo, Deputy