

THE STATE OF TEXAS :
 COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 2ND day of
 FEBRUARY, 1993, 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. Samuel Sanchez
 County Commissioner, Precinct #1

Hon. Lalo Arcaute
 County Commissioner, Precinct #2

Hon. Juan Rosel
 County Commissioner, Precinct #3

Hon. Leonard Camarillo
 County Commissioner, Precinct #4

WHEREUPON, the following proceedings

were had, to-wit:

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FEBRUARY 2, 1993

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

CONSENT AGENDA

ITEM 1. APPROVAL OF MINUTES - November 9, 1992

ITEM 2. APPROVAL OF OFFICIAL BONDS:

- A. Gilbert S. Longoria Sr. - Reserve Deputy Constable - Pct. #3
- B. Raul Tanguma Jr. - Reserve Deputy Constable - Pct. #3
- C. Samuel Segura - Reserve Deputy Constable - Pct. #3
- D. Eduardo Ramos - Reserve Deputy Constable - Pct. #2
- E. Jim Thompson - Reserve Deputy Constable - Pct. #2
- F. Jose Alaniz - Reserve Deputy Constable - Pct. #2
- G. Ricardo Pena Jr. - Reserve Deputy Constable - Pct. #2
- H. Richard Butler - Reserve Deputy Constable - Pct. #2
- I. Noe Ricardo Garza - Reserve Deputy Constable - Pct. #2

(EXHIBIT "A")

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:

- A. Sheriff's Department - \$202,977.24 - December
- B. District Clerk - \$ 90,824.31 - December
- C. Justice of the Peace:
 - 1. Rene O. Torres - \$ 8,112.29 - December
 - 2. Arnaldo Corpus - \$ 9,439.45 - December
- D. Constables:
 - 1. Roberto Pena - \$ 0.00 - December
 - 2. Eduardo Bazan - \$ 40.00 - December
 - 3. Genovevo Quintanilla - \$ 45.00 - December
 - 4. Rinaldo Cerda - \$ 210.00 - December
 - 5. Horacio Aguirre - \$ 0.00 - December

(EXHIBIT "B")

ITEM 4. INTERNAL LINE ITEM TRANSFERS: 1992

- A. Human Services - NO ACTION

(EXHIBIT "C")

ITEM 5. INTERNAL LINE ITEM TRANSFERS: 1993

- A. J.P. Pct. #3 Pl. 2 - Ismael Ochoa - \$250.00
- B. County Judge - \$800.00
- C. 370th District Court - \$100.00
- D. Election Expense - \$175.00
- E. Human Services - \$66,666.64
- F. Sheriff's Investigation Fund - 102 - \$1,700.00
- G. Sheriff's Investigation Fund - 104 - \$1,400.00
- H. Pct. #2 - Paved/Unpaved - \$10,000.00
- I. Pct. #2 - Parks - \$300.00
- J. Health Department - Administration - \$500.00

(EXHIBIT "D")

ITEM 6. PCT. #2:

- A. Request to advertise:
 - 1. 1993 pickup truck - County Shop
 - 2. 1993 pickup truck - Parks

(NOTE: Bid opening to be February 24, bid award March 2nd.)

(EXHIBIT "E")

ITEM 7. PURCHASING DEPARTMENT:

- A. One (1) 1/2 ton pickup truck - Pct. #4

(NOTE: Bid is awarded to Weslaco Motors, of Weslaco with a low

bid price of \$10,886.50.)
(EXHIBIT "F")

ITEM 8. PERMITS:

A. Sharyland Water Supply - Pct. #3

(NOTE: There are two permits for road crossings to be located approximately 280 feet north of the intersection of Inspiration Road and the 6 Mile Road and the other is located approximately 1,050 feet east of the intersection of Shary Road and 8 Mile Road.)
(EXHIBIT "G")

Judge Ruiz went into a brief explanation on each of the items on the consent agenda, noting several important points on each of Items 6, 7 and 8, as stated. He then entertained any comments that the Commissioners might have on any one of the items on the consent agenda, there being none, a motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve, the consent agenda, for the eight items, excluding Item #4, the internal line item transfer, of which there is NO ACTION.

MOTION CARRIED.
SEE "EXHIBITS A-G"

The Court then proceeded with the regular agenda.

REGULAR AGENDA

ITEM 1. APPROVAL OF BILLS - County Auditor

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve in the General Fund bills #86275 thru #86447 totaling \$956,574.21; in the Special Revenue Fund bills #84031 thru #84120 totaling \$2,619,899.52; in the Debt Service Fund bill #861 in the amount of \$.50; in the Capital Projects Fund bills #4613 thru #4615 totaling \$11,571.69; in the Trust and Agency Fund bills #3317 thru #3321 totaling \$673,191.33 and in the Enterprise Fund bills #1383 thru #1387 totaling \$4,354.41.

MOTION CARRIED.

ITEM 2. APPROVAL OF ATTORNEYS' FEES IN THE AMOUNT OF \$57,736.00

Judge Ruiz explained that in addition to the \$57,736.00 there was also a request, from Judge Fernando Mancias to approve \$9,291.00 in attorneys' fees, for a capital murder case, to Mr. Jack D. Hunter, II. A motion was then made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve court appointed attorneys' fees in the amounts of \$57,736.00 and \$9,291.00.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 3. RESOLUTION - EDAP/Texas Water Development Board

Noe Cavazos came before the Court explaining that the City of Edinburg was intending to expand its water and waste water services to the area of Faysville, to help alleviate costs of water expansion for

the State Prison, through an application to the Texas Water Development Board for funding. He then went into a brief explanation of funding, through this program that had been approved for the County of Hidalgo and cities within this County. Judge Ruiz then gave a brief history of the establishment and duties of the Hidalgo County Water Development Board Corporation. After further discussion, a motion was made by Commissioner Rosel, seconded by Commissioner Sanchez, to approve the resolution endorsing the City of Edinburg's application for facility engineering Phase I, funding for water and wastewater facilities to serve Faysville, within the the City's service delivery area.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 4. HIDALGO COUNTY LIBRARY SYSTEM:

- A. Authorization and approval of Representative and Alternate appointment for a term of one (1) year - Hid. Co. Library Board
- B. Authorization and approval of Representative At-Large and Alternate At-Large for a term of two (2) years, Hid. Co. Board

4/A

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the appointment of Mr. Dick Schultz, to the Hidalgo County Library System, and as an Alternate to Mr. Schulz appointment Mr. Rolando Resendez, both of Donna.

MOTION CARRIED.
SEE "EXHIBIT J"

4/B

A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to place Mrs. Frances DeWolf as Member At-Large and Mrs. G. Ashwander, as Alternate, to this Member At-Large, into the Hidalgo County Library System.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 5. DISCUSSION AND POSSIBLE ACTION ON RE-APPOINTMENT OF MR. JOE LEAL TO THE MENTAL HEALTH MENTAL RETARDATION BOARD

A motion was made by Commissioner Sanchez, seconded by Commissioner Rosel, to re-appoint Mr. "Joe" Jose Leal to the Mental Health and Mental Retardation Board.

MOTION CARRIED.

ITEM 6. HEALTH DEPARTMENT:

- A. Authorization and approval of salary adjustments
- B. Transfer of equipment from Health Department Sanitation to Pct. #1

6/A

Dr. Charles Wilson, Health Director, requested that the salaries, of two of his nurses, be increased. He explained that the increases would be for \$1,000.00 each, per year, coming out of Co-

(02/02/93)

Pay, from a vacant RN position. A discussion then ensued regarding the reimbursing of this vacant position and also the possibility of increases to the salaries of other nurses, as well. A motion was made by Commissioner Sanchez, seconded by Commissioner Rosel, to authorize a salary increase to Velda Villarreal and Pat de Blicck, R.N.s for the County Health Department, by \$1,000.00, per year.

MOTION CARRIED.
SEE "EXHIBIT K"

6/B

Dr. Charles Wilson, Health Director, explained that this was a request, by Commissioner Sanchez, who was requesting that a Truck and radio, which had been transferred to the Health Department be transferred back to Precinct One. Dr. Wilson stated that he needed that truck, for the animal control warden that had also been transferred from Precinct One. Commissioner Sanchez explained that his request was due to a shortage in vehicles, in his precinct. A discussion then ensued, in which the Judge and Commissioners' concurred that the vehicle was of much greater need to the Health Department. During this discussion Commissioner Arcaute, asked Dr. Wilson if he was in agreement with this transfer, to which Dr. Wilson replied that he would like to keep the truck. Ramona Aguilar, from the District Attorney's Office, also stated that the department had a van, which it was not presently using that could be transferred to any one of these two departments. Steve Austin, County Auditor, then stated that this vehicle had been purchased by Road and Bridge Funds for the purpose of Road and Bridge. This ensued in another discussion, after which, a motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, that Dr. Wilson be allowed to keep the man and the salary, but that the truck and the radio be transferred back to Precinct Number One.

MOTION DENIED. (COMMISSIONERS SANCHEZ AND ARCAUTE VOTED IN FAVOR OF SEE "EXHIBIT K" THE MOTION; COMMISSIONERS CAMARILLO AND ROSEL VOTED AGAINST; JUDGE VOTED AGAINST.)

ITEM 7. DISTRICT ATTORNEY:
A. Budget Amendment - State supplement

A motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to give ministerial approval of a State adjustment, totaling \$3,475.05.

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 8. JUVENILE PROBATION DEPARTMENT:
A. Authorization and approval of MH/MR - Outpatient Substance Abuse Prevention Program for Youth Contract

A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve an inter-agency linkage agreement between the Juvenile Probation Department and Tropical Texas Center for MH/MR services, Outpatient Substance Abuse Prevention Program for Youth.

MOTION CARRIED.
SEE "EXHIBIT M"

- ITEM 9. ADULT PROBATION DEPARTMENT:
A. Authorization and approval of contracts for FY-93:
1. Texas Employment Commission
2. Dr. Humberto Gonzalez

NO ACTION.
SEE "EXHIBIT N"

- ITEM 10. SHERIFF'S DEPARTMENT:
A. Authorization and approval of Medical Service Agreements with Dr. Marin Garza and Dr. Gilbert Diaz and exempt from the bidding process

Mario Salinas, Chief of Detention, came before the Court requesting approval of one year contracts with Dr. Marin Garza and Dr. Gilbert Diaz, for medical services at the jail, at a cost of \$1,000.00 per month. Steve Austin, County Auditor, then stated that these contracts had run out on December 31st, 1992 and therefore they also required an extension, due to pending bills. Commissioner Rosel then ensued a discussion regarding the bidding procedure, for these types of services. A motion was made by Commissioner Rosel, seconded by Commissioners Sanchez and Arcaute, to approve a medical service agreement between Dr. Marin Garza and the County of Hidalgo and Dr. Gilbert Diaz and the County of Hidalgo, for professional medical services to jail inmates in the County of Hidalgo; and also exempting this process from the bidding procedure; contract begins January 1st, ends December 31st, 1993.

MOTION CARRIED.
SEE "EXHIBIT O"

A discussion then ensued regarding the overcrowding at the jail and what was being done to alleviate the problem. Judge Ruiz explained that he had met with the Jail Commission, at which time the Commission took action to place a cap on the maximum amount of prisoners that we could hold at the County Jail; that cap being 549. He further stated that this resulted in a dilemma, as to what to do with defendants brought in, once they reached that cap. Mario Salinas stated that to alleviate the problem they were basically looking at the misdemeanor cases, by working closely with the District Attorney's Office and the County Courts at Law. After further comments on this item, the discussion was closed.

- ITEM 11. FCT. #2:
A. Request to advertise:
1. 1993 pickup truck - County Shop
2. 1993 pickup truck - Parks

NO ACTION.

- ITEM 12. PCT. #4:
A. Approval of Farm Lease Agreement with Ramon Luna for a period of eight (8) months (corrected)

Judge Ruiz explained that this was an extension of an existing farm lease, with one small change. The previous lease was for twelve months, it will now be for eight months, to run from January 1st, 1993 through September 1st, 1993, at the rate of \$6,552.82, for the full

(02/02/93)

contract. A discussion then ensued regarding the lack of the bidding procedure, after which a motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to extend a lease with Ramon Luna, for a period of eight months, for the leasing of two tracts of land, for farming; the annual rate will be \$6,552.82.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 13. PLANNING DEPARTMENT:

A. Subdivisions:

1. Resubdivision plat of the Courtlands Subdivision Blocks 1 through 4; block 6 - lots 3, 4 & 5; Block 7; Block 9 - lots 2, 3, 4, & 5; and Block 10 - Pct. #2
2. Amanda Subdivision - Pct. #3
3. Country Estates Subdivision - Pct. #3
4. West Motor Bank Subdivision - Pct. #3
5. La Homa Meadows Phase 2 & La Homa Meadows Unit No. 2 Phase #2 - Pct. #3

13/A/1

A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to approve the plat of the Resubdivision of the Courtlands Subdivision Blocks 1 through 4; Block 6, lots 3, 4 and 5; Block 7; Block 9, lots 2, 3, 4, and 5; and Block 10, which is located on the southwest corner of Dove Ave. (Owassa Road) and North 4th St. inside the city limits of McAllen, in Precinct Two.

MOTION CARRIED.
SEE "EXHIBIT Q"

13/A/2

A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve the plat of Amanda Subdivision, which is located approximately 1780 feet south of Expresway 83 on the east side of Leo Ave., inside the city limits of La Joya, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT Q"

13/A/3

A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute and Sanchez, to approve the plat of Country Estates Subdivision, which is located 1 1/2 miles north from the 1 Mile Line on the east side of Glasscock Road, inside the City of Mission's ETJ, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT Q"

13/A/4

A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve the plat of West Motor Bank Subdivision, which is located on the northwest corner of Tom Gill Road and U.S. Expwy. 83, inside the City of La Joya's ETJ, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT Q"

13/A/5

After Roy Gonzalez, from the Planning Department, presented this subdivision, for approval, Commissioner Rosel stated that he had discussed this project with the developer and the engineer and he requested that they inform the Court as to what was going to be

done to resolve the problem with the subdivision. Mr. Fred Kurth, Engineer, then explained that they had sent a letter to FEMA and FEMA had responded that the flood elevation was 181 feet, so they were at this time recommending that all improvements in the subdivision be at least 181.5 feet, which has been changed on the plat. The other requirement, was that the County was going to require elevation certificates on all the buildings and keep a file to ensure that all the improvements are above that flood elevation. He further stated that the developer had agreed to do that at his expense. Judge Ruiz then stated that he wanted the developer to give the County a notarized statement, that he will inform the consumer that they are in Zone A, and that they are in a flood prone area and that they have to elevate their homes, to a certain height to avoid a potential flooding. After further discussion, Commissioner Rosel, asked for the record, if former County Commissioner Norberto Salinas, when he came in, if he came in with the same type of plat or plan for a subdivision, to which Judge Ruiz responded that he did not know. A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve the plat of La Homa Meadows Phase 2 and La Homa Meadows Unit No. 2 Phase #2, which is located on the southwest corner of the 4 Mile Line and La Homa Road, inside the City of Mission's ETJ, in Precinct Three; approval is subject to the notarized statement, that was discussed previously.

MOTION CARRIED.
SEE "EXHIBIT Q"

ITEM 14. URBAN COUNTY:

- A. City of Palmview - Year 5 Budget Amendment
- B. 1993 Emergency Shelter Grant - Hid. Co./Community Service Agency
- C. 1993 Emergency Shelter Grant - Mujeres Unidas/Women Together, Inc.
- D. Resolution adopting Procurement Standards for the Urban Co. Program
- E. Request to bid Program Community Center
- F. Approval of bills

14/A

A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve the budget amendment, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

14/B&C

NO ACTION.
SEE "EXHIBIT R"

14/D

Being that the Commissioners had not reviewed the proposed procurement standards, no action was taken at this time.

NO ACTION.
SEE "EXHIBIT R"

14/E

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to rescind our action setting the bid date of February 10th and February 16th, to open, and reset to February 24th and March 2nd.

MOTION CARRIED.
SEE "EXHIBIT R"

14/F

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the 1991 Urban County bill #4273 in the amount of \$1,164.00; the 1992 Urban County bills #4274 thru #4281 totaling \$64,004.84; the Colonia 1-A Fund bills #4282 thru #4284 totaling \$9,408.00; the 1992 HOME bills #4285 and #4286 in the amount of \$22,062.46 and the 1991 Emergency Shelter Grant bills #4287 and #4288 totaling \$2,940.58. The total Urban County memorandum to be approved is \$99,579.89.

MOTION CARRIED.
SEE "EXHIBIT R"

Anthony Covacevich then went into an aspect of the Economic Recovery Plan, that he thought might be of interest to the Commissioners. This resulted in a discussion with additional comments from Judge Ruiz.

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 #1

The Honorable J. Edgar Ruiz, County Judge, 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 Rosel, seconded by Commissioner Arcaute, to approve a request for permit by the City of Mission to go along the east side of Francisco Street, coming from the south to our drain ditch, and one on the west side of Mayberry, for the development they're doing for the new schools, around the 2 Mile Line.

MOTION CARRIED.

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

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

Samuel Sanchez _____
County Commissioner, Precinct #1

Lalo Arcaute _____
County Commissioner, Precinct #2

Juan Rosel _____
County Commissioner, Precinct #3

Leonard Camarillo _____
County Commissioner, Precinct #4

Dated this 2ND day of FEBRUARY, 1993.

ATTEST:

WILLIAM R. LEO, COUNTY CLERK

By:  _____
Jennifer Castillo, Deputy

