

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 23RD 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 23, 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 - December 14, 1992
December 22, 1992
- ITEM 2. APPROVAL OF BILLS - County Auditor
- | | | |
|-----------------------|-------------------|------------------|
| General Fund | - #86859 - #87031 | - \$9,100,654.04 |
| Special Revenue Fund | - #84540 - #84686 | - \$ 511,714.98 |
| Debt Service Fund | - # 868 | - \$ 178,433.90 |
| Capital Projects Fund | - # 4618 - # 4619 | - \$ 393.75 |
| Trust and Agency Fund | - # 3350 - # 3365 | - \$ 114,721.47 |
- (SEE "EXHIBIT A")
- ITEM 3. APPROVAL OF ATTORNEYS' FEES IN THE AMOUNT OF \$60,214.50
(SEE "EXHIBIT B")
- ITEM 4. APPROVAL OF OFFICIAL BONDS:
A. Gerald Dean Cortina - Reserve Deputy Constable - Pct. #3
(SEE "EXHIBIT C")
- ITEM 5. APPROVAL OF MONTHLY FEE REPORTS:
A. District Clerk - 488,594.11 - January
B. Justice of the Peace:
1. Arnaldo Corpus - \$ 7,308.20 - January
(SEE "EXHIBIT D")
- ITEM 6. APPROVAL OF VOTING MACHINES:
A. McAllen ISD - 23 machines
B. Mercedes ISD - 4 machines
C. Progreso ISD - 2 machines
D. La Villa ISD - 1 machine
(SEE "EXHIBIT E")
- ITEM 7. INTERNAL LINE ITEM TRANSFERS:
A. Integrated Community Traffic Safety - \$239.00
B. J.P. Pct. #2, Pl. #1 - Ruben Ramos - \$11.20
C. Hidalgo County Youth Village - \$120.64
D. Buildings & Grounds - \$385.00
E. Child Welfare - \$7.72
F. Hidalgo County Detention Center - \$10,000.00
G. Pct. #1 - Paved/Unpaved - \$2,000.00
H. Pct. #2 - Paved/Unpaved - \$7,000.00
I. Traffic Control - \$204.00
J. Financial Disruption Task Force - \$5,000.00
K. Pct. #3 - Administration - \$1,081.12
L. Insurance - \$4,664.00
(SEE "EXHIBIT F")
- ITEM 8. PURCHASING DEPARTMENT:
A. Award bid:
1. Lease of office space - Hidalgo County
B. Request to advertise:

- 1. Crushed Caliche - Pct. #1, #2 & #4
- C. Declare equipment surplus:
 - 1. Time Clock - #015561
 - 2. Cellular Mobile Telephone - #019236

(SEE "EXHIBIT G")

ITEM 9. PLANNING DEPARTMENT:

- A. Subdivisions:
 - 1. J.W. Subdivision - Pct. #1
 - 2. Amended Capri Mobile Home Subdivision - Pct. #2
 - 3. Pattinson Subdivision - Pct. #2
- B. Final Plat Approval:
 - 1. La Homa Heights Subdivision - Pct. #3

(SEE "EXHIBIT H")

ITEM 10. PERMITS:

- A. North Alamo Water Supply - Pct. #1 & #4
- B. Southwestern Bell - Pct. #4

(SEE "EXHIBIT I")

Judge Ruiz gave a brief explanation of each of the items on the consent agenda. He stated that on Item 8, the bid for the office space was being awarded to Calame, Linebarger, Graham and Pena, for a period of two years at an annual rate of \$11.04 per square foot and a bonus of \$5,878.80. He also announced that the bid dates for the advertising of crushed caliche would be March 17th, to open and March 23rd, to award.

A brief discussion then ensued with comments from Commissioner Rosel regarding the Attorneys' Fees. Judge Ruiz stated that his office had conducted random analysis, in which it was concluded that for the past two years, the County had only been reimbursed for 20% of the fees. He further stated that, for a period of one year, it had been assessed, that \$400,000.00 should have been collected, of which only \$16,000.00 was actually paid back, to the County.

Commissioner Sanchez then had a few questions concerning the awarding of the bid for the office space with regards to the bonus and the leasing period. The Judge stated that the bonus was to cover the past five months, that the space had been vacant and the lease was to begin March 1st, 1993.

There being no further comments or discussions regarding the Consent Agenda, a motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to approve the consent agenda, as presented.

MOTION CARRIED.
SEE "EXHIBITS A-I"

REGULAR AGENDA

- ITEM 1. HEALTH DEPARTMENT:
 - A. Consideration and approval of Co-Pay Budget
 - B. Set salaries

1/A

Dr. Charles Wilson, Health Director, came before the Court requesting approval of his 1993 Co-Pay budget and the setting of salaries. He stated that some of his employees should be getting paid

out of the Tuberculosis Grant, which has not been received at this time. He felt that the only way to keep these employees, until then, was to put them on the Co-Pay budget. Once the TB Grant was received, he would then reimburse the Co-Pay budget, for these employees. A discussion then ensued as to how many employees, under this grant, would be receiving pay increases, after which a motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve the Co-Pay budget and setting salaries, as presented.

MOTION CARRIED.
SEE "EXHIBIT J"

Judge Ruiz then asked Dr. Wilson about bee control and how he proposed to go about it this year. Dr. Wilson said that his main concern was to educate people, due to the fact that last year his department was called on any and all types of bees. He also stated that alot of the people who called about bees, were well to do and could afford hiring a private company to take of the problem. By assisting only those people who could not afford the extermination of bees, his department would be able to handle all incoming calls. A discussion then ensued, in which Judge Ruiz commented that due to the liability to the County, of going into private land, maybe they should only take care of bees in public places. This was followed by further discussion, with additional comments from Commissioner Camarillo, commending Mr. Roy Tijerina, Sanitation Director, from the Health Department and also comments from Commissioner Rosel with regards to the turnout in the mobile clinic, in the Alton area.

- ITEM 2. AUTHORIZATION AND APPROVAL TO DECREASE 1993 BUDGET AND INCREASE 1992 BUDGET:
- A. Indigent Health Care - \$377,554.47
 - B. Rural Fire Calls - \$35,250.00
 - C. PBX - \$5,471.00
 - D. Insurance - \$11,597.11

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

MOTION CARRIED.
SEE "EXHIBIT K"

- ITEM 3. BUDGET AMENDMENT:
- A. District Clerk - \$25,000.00

Mary Lou Codina, from the District Clerk's Office, came before the Court requesting approval of a budget amendment, in the amount of \$25,000.00, with \$20,000.00 going towards office supplies and \$5,000.00 for office equipment. Judge Ruiz then explained the need for this amendment, stating that there were more cases being filed for Child Support, than in previous years, and because of this the District Clerk's Office had to upgrade their computer system. Also the case binders, that had been bidded for, last year had not been received, and thus the bulk of this amendment was to pay for those. After further discussion regarding future requests, for budget amendments, from other departments, as presented by Commissioner Rosel, a motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the budget amendment of \$25,000.00, to the District Clerk's Office.

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

ITEM 4. LISA SAUCEDA - Administrative Assistant:
A. Authorization and approval to enter into contract with Reynaldo Vargas Architect, Inc.-Juvenile Detention Center

Judge Ruiz informed the Court, that previously it had been discussed to renovate a building, which had been purchased, in the Mission area, through Certificates of Obligation, for use as a Juvenile Detention Center. Reynaldo Vargas Architects, Inc., had been awarded the contract for this renovation and since that time the proposed building was being used for something other than a Juvenile Detention Center. He then stated that he has had discussions with District Judge Mario Ramirez, regarding the expansion of the present Juvenile Detention Facility. At this time he was requesting the transfer of the contract with Rey Vargas, to begin the plans and specifications to renovate and build more beds within the present Juvenile Detention Center. He further stated that the budget for this proposed renovation was approximately \$400,000.00 and the contract that was being proposed was for 8% of the construction cost. Mr. Buddy Silva, Juvenile Director, stated that this amount of money would cover, with the consideration of future expansion, the addition of approximately 12 beds. The bulk of the renovation budget would cover the security system, that would need to be implemented. Commissioner Rosel then asked the Court what the problem was with using part of the land that had been purchased in the Mission area, to build a new facility. The Judge responded that the cost of a new building would exceed the budget, as well as the fact, that the distance, to transport these juveniles back and forth, from the Courthouse and the liability, was greater. Steve Auston, County Auditor, had a concern about the bond money that had been spent on the property in Mission. Judge Ruiz then stated that he had spoken to the Bond Counsel, and he saw no problem with the money that had already been spent. After further discussion, a motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to authorize a contractual agreement with Vargas Architects Inc. and the County of Hidalgo for the renovation of the Juvenile Detention Facility, in Edinburg Texas.

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 5. AUTHORIZATION AND ACTION ON PENDING STATE LEGISLATION

NO ACTION.

ITEM 6. AUTHORIZATION AND APPROVAL TO PURCHASE CALICHE FROM VALLEY CALICHE PRODUCTS AND WAIVE BIDDING PROCESS

Judge Ruiz informed the Court that a letter had already been sent to Zamora Caliche, informing them that their contract with the County will be terminated. In the meantime, the Commissioners needed to purchase caliche, so therefore they were requesting the waiving of the bidding procedure, in all caliche purchases of \$10,000.00 or more. A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to authorize and approve the purchase of caliche from Valley Caliche and waive any and all bidding procedures necessary; this will hold only until the Court receives bids and awards bid for the other company.

MOTION CARRIED.

ITEM 7. ENTERPRISE FUND:
A. Approval of Budget Amendment

Steve Austin, County Auditor, informed the Court that the total amount needed to be transferred, was \$114,079.16. Of this, an amount of \$78,410.00 would be used to cover the 1992 deficit and the remaining \$35,668.77 would be to cover the revenue shortfall, in 1993. He further stated that the bulk of the \$78,410.00, would be used to pay for the repair of some machinery in the landfill. A motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to approve a budget amendment of \$114,079.16.

MOTION CARRIED.

ITEM 8. PCT. #3:
A. Authorization to enter into an interlocal agreement with the City of La Joya
B. Authorization to increase Park Maintenance position salary
C. Line item transfer

8/A

Raul Lozano explained that this contract was needed to construct two streets, in the Tabasco Subdivision, which is a Housing Authority, low-rent housing site, owned by the City of La Joya. The City of La Joya would relinquish from their Year 5 allocation, the proposed cost estimates to complete the improvements. The reason for this agreement, was that the City of La Joya was approaching a deadline, for this project, therefore they were requesting that the County Commissioner assist them in this project. A motion was made by Commissioner Rosel, seconded by Commissioner Sanchez, to authorize an interlocal agreement with the City of La Joya and the County of Hidalgo, through Precinct Three, for the paving of two streets, going into Tabasco Subdivision #2.

MOTION CARRIED.
SEE "EXHIBIT N"

8/B&C

Commissioner Rosel informed the Court that his request was to set an employee's salary, at the same rate he was making at the Landfill. A motion was made by Commissioner Rosel, seconded by Commissioner Sanchez, to approve a salary increase, going from \$9,282.00 to \$9,632.00 with a budget amendment coming from contractual services totaling \$352.66.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 9. PCT. #4:
A. Budget Amendment:
1. Resource Recovery
2. Road & Bridge
B. Authorization and approval to exempt L.C. Maldonado from competitive bidding process - Hauling Services

9/A/1

Commissioner Camarillo explained that his request was to purchase some new equipment, for the Landfill. A discussion then followed, in which it was established that this budget amendment, of \$130,000.51, would come out of bond money. A motion was then made by Commissioner Camarillo, seconded by Commissioner Arcaute, to authorize

a budget adjustment, from bond money to resource allocation, to resource recovery system, to our Enterprise Fund, in Precinct Four, totaling \$130,000.51.

MOTION CARRIED.
SEE "EXHIBIT O"

9/A/2
NO ACITON.

9/B
A motion was made by Commissioner Camarillo, seconded by Commissioner Sanchez, to approve a personal service contract, with L.C. Maldonado, exempting him from the competitive bidding process; he is used for hauling of road material. This person is the owner and the operator of his vehicle.

MOTION CARRIED.
SEE "EXHIBIT O"

ITEM 10. URBAN COUNTY:

- A. City of Alamo - Change Order #2 - Street Improvements Contract with Wright Way Construction, Inc., Year 4 and 5
- B. City of Elsa - Boys & Girls Club Subrecipient Agreement B-92-UC-48-0501
- C. City of La Villa - Budget Amendments for Year 2, Year 3 & Year 4
- D. City of San Juan - Construction Contract Award Street Improvement Year B-92-UC-48-0501 Water/Sewer Improvements Year B-90-UC-48-0501
- E. City of San Juan - Change Order #1/South Texas Utilities Street Improvements Project B-92-UC-48-0501 Water/Sewer Improvements B-90-UC-48-0501
- F. Urban County Amendments Year 4 and Year 5 Precinct No. 2
- G. 1991 Emergency Shelter Grant - Amendment to Subrecipient Agreement
- H. 1991 Emergency Shelter - Budget Amendment (Mujeres Unidas/ Women Together)
- I. Resolution authorizing the submission of a 1993 Emergency Shelter Grant Application B-92-UC-48-0501
- J. Approval of Resolution authorizing the County to apply for CASA Funds (Coordinated Agenda for the Southwest Area)
- K. Procurement Standards Addendum #1 Bonding Requirements
- L. Approval of bills

10/A
A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to award a change order to Wright Way Construction, through the City of Alamo and County of Hidalgo, for Hackberry Street paving, in the amount of \$14,000.00.

MOTION CARRIED.
SEE "EXHIBIT P"

10/B
A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to authorize and approve a subrecipient agreement between the City of Elsa, the County of Hidalgo and the Elsa Boys' and Girls' Club, in the amount of \$5,000.00.

MOTION CARRIED.
SEE "EXHIBIT P"

10/C

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A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve a budget amendment, in Years 2, 3 and 4, for the City of La Villa's acquisition intent.

MOTION CARRIED.
SEE "EXHIBIT P"

10/D

A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to award bid to South Texas Utilities, the contract totaling \$477,303.70; this is between the County of Hidalgo, the City of San Juan and South Texas Utilities.

MOTION CARRIED.
SEE "EXHIBIT P"

10/E

A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to do a change order to the contract awarded to South Texas Utilities, reducing it by \$97,375.44.

MOTION CARRIED.
SEE "EXHIBIT P"

10/F

A public hearing was called to inform the public as to the proposed amendments to Precinct Two's Year 4 and Year 5 Urban County monies. In both years the Commissioner was proposing to transfer some funds from his street line item to create a Neighborhood Facility line item, which will be used as matching funds for the health clinic in the City of Hidalgo. After further explanation, the public hearing was closed.

A motion was made by Commissioner Rosel, seconded by Commissioner Sanchez, to approve the budget amendment to Years 4 and 5, for Precinct Two, under the Urban County Program.

MOTION CARRIED.
SEE "EXHIBIT P"

10/G

The proposed amendment is to reallocate some funds in the amount of \$20,000.00, from Mujeres Unidas/Women Together, to the Community Service Agency, due to time constraints. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the recommendation, for the 1991 Emergency Shelter Grant.

MOTION CARRIED.
SEE "EXHIBIT P"

10/H

Gus Elizondo explained that the proposal was to move enough funds out of essential services and into maintenance and operational costs, and stay within the 30% cap, for this 1991 grant. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve a budget amendment on Mujeres Unidas/Women Together contract under essential services, as proposed.

MOTION CARRIED.
SEE "EXHIBIT P"

10/I

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve a resolution authorizing the County of Hidalgo to apply for \$83,000.00 under the Emergency Shelter Grant, and also authorize the County Judge to sign any and all documents in relation to this Program.

(02/23/93)

MOTION CARRIED.
SEE "EXHIBIT P"

10/J

After a brief explanation, of this program, by Gus Elizondo and discussion, a motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve a resolution authorizing the County to apply for CASA funds and authorize the County Judge to sign all necessary documents.

MOTION CARRIED.
SEE "EXHIBIT P"

10/K

Raul Lozano informed the Court that the addendum was in reference to bonding requirements. After discussion, a motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve Addendum #1, to our Procurement Standards, setting necessary bonding requirements, as amended, by including that if a bond is established, that draw-downs are accepted.

MOTION CARRIED.
SEE "EXHIBIT P"

10/L

A motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to approve the 1991 Urban County bills #4354 thru #4347 totaling \$53,102.95; the 1992 Urban County bills #4358 thru #4360 totaling \$30,220.79 and the Colonia 1-A Fund bills #4362 thru #4363 totaling \$6,429.00. The total Urban County memorandum to be approved is \$89,752.74.

MOTION CARRIED.
SEE "EXHIBIT P"

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

Judge Ruiz then back to the item on Attorneys' fees and explained the report that had been done by his office. A discussion then ensued regarding the amount of fees being assessed by the Clerks' Offices and the Adult Probation Department, as well.

The Judge also announced that a Commissioners' Court Workshop would be held on Wednesday, February 24th, at 9:00 AM.

There being no further business to come before the Court, a motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez that said meeting of Commissioners' Court 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

Samuel Sanchez
County Commissioner, Precinct #1

Lalo Arcaute
County Commissioner, Precinct #2


Juan Rosel
County Commissioner, Precinct #3

Leorard Camarillo
County Commissioner, Precinct #4

Dated this 23RD day of FEBRUARY, 1993.

ATTEST:

WILLIAM R. LEO, COUNTY CLERK

By: 
Jennifer Castillo, Deputy

