

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 12TH day of JULY, 1993, after due notice having been given, there was begun and holden, a REGULAR 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:

106.150/R. 193-B

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JULY 12, 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

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- ITEM 1. APPROVAL OF MINUTES - June 14, 1993
June 18, 1993
- ITEM 2. APPROVAL OF BILLS - County Auditor
General Fund - #90663 - #90865 - \$202,697.45
Special Revenue Fund - #88544 - #88633 - \$108,233.47
Trust and Agency Fund - # 3572 - # 3574 - \$109,529.75
Enterprise Fund - # 1528 - # 1532 - \$ 3,984.41
(SEE "EXHIBIT A")
- ITEM 3. APPROVAL OF OFFICIAL BOND:
A. Javier Guerrero - Reserve Deputy Constable - Pct. #3
(SEE "EXHIBIT B")
- ITEM 4. APPROVAL OF MONTHLY FEE REPORTS:
A. Justice of the Peace:
1. Rosa Trevino - \$6,748.50 - June
2. Ruben Ramos - \$8,385.06 - June
3. Adan Caballero - \$3,241.50 - June
B. Anzaldua's Park - \$6,984.00 - June
(SEE "EXHIBIT C")
- ITEM 5. APPROVAL OF COURT REPORTER REES:
A. Clarisia Ramirez - \$1,401.00
(SEE "EXHIBIT D")
- ITEM 6. APPROVAL OF VOTING MACHINES:
A. City of Penitas - 2 machines
B. City of Granjeno - 1 machine
(SEE "EXHIBIT E")
- ITEM 7. INTERNAL LINE ITEM TRANSFERS:
A. Human Services - \$2,500.00
B. District Clerk - NO ACTION
C. County Extension Service - \$1,400.00
D. Health Department - Maternal/Child Health Grant-\$100,000.00
E. Health Department - \$2,500.00
F. Health Department - Administration - \$853.00

(07/12/93)

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G. J.P. Pct. #4, Pl. #1 - G. Garces - \$181.00
 H. Pct. #3 - Administration - \$1,262.00
 Paved/Unpaved - \$10,967.56
 I. Sheriff's Department - \$8,000.00

(SEE "EXHIBIT F")

ITEM 8. PLANNING DEPARTMENT:

A. Subdivisions:

1. D. Saenz Subdivision - Pct. #2
2. Ebano Heights Subdivision Phase III - Pct. #2
3. Village of West Lakes Unit One Subdivision - Pct. #4

(SEE "EXHIBIT G")

ITEM 9. PERMITS:

A. Southwestern Bell Telephone - Pct. #3

The County Judge asked the Commission if they had any questions and/or comments on the Consent Agenda and Commissioner Rosel responded by pointing out the line item transfers for JP Garces and the Sheriff's Department. There being no further comments, a motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to approve the Consent Agenda, as presented.

MOTION CARRIED.

SEE "EXHIBITS A-G"

REGULAR AGENDA

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ITEM 1. APPROVAL OF RESOLUTION SUPPORTING THE BORDER ENTERPRISE ZONES

Judge Ruiz informed the Court that this was in reference to House Bill 2246, proposed by Congressman Mike Andrews. He stated that basically "this is an enterprise that gives authority for border counties to set up enterprise funds within the border of the Rio Grande; again it is just a tool...to hopefully attract manufacturing, small and large industry to our community". A motion was then made by Commissioner Arcaute, seconded by Commissioner Rosel, to authorize a resolution supporting Border Enterprise Zones, under House Resolution 2246, by Congressman Mike Andrews; it is also co-sponsored by Congressman Ron Coleman and Congressman Frank Tejada.

MOTION CARRIED.

SEE "EXHIBIT H"

ITEM 2. AUTHORIZATION AND APPROVAL OF RESALE OF STRUCK OFF PROPERTY - Lucy Canales (Calame, Linebarger, Graham & Pena)

Lucy Canales came before the Court and made a presentation regarding property that would be sold due to a delinquency in taxes, to the Hidalgo County Irrigation District #16. She presented photographs of some of the properties and stated that the properties, which consisted of five and ten acre tracts, would be sold at auction, beginning at \$500.00 per acres. This she said would mean that the properties

would be sold at an amount less than the amount of taxes owed and this would require Commissioners' Court action. "What this will do", she said "is take it off the tax roll as exempt and put it back on the tax roll, so that it could be taxed, if somebody does purchase the property." There was a brief discussion, after which a motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to accept the recommendation and approve the resale of this struck-off property.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 3. HEALTH DEPARTMENT:

A. Request to advertise:

1. Office, Medical Equipment & Medical Supplies

A motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to authorize the advertising for bids for the purchase of office equipment, medical equipment, office supplies and medical supplies; bid opening to be August 4th, bid award to be August 9th.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 4. SHERIFF'S DEPARTMENT:

- A. Authorization to appropriate loan proceeds for payment of Sheriff's Department vehicles
- B. Appropriate \$70,000.00 for payment of Sheriff's Department vehicles

Judge Ruiz explained that the original intent was to pay, First National Bank of Edinburg, an amount of \$80,000.00 and finance an amount of \$200,000.00. However, the way that the loan was made was for a down payment of \$70,000.00 and the financing of \$210,000.00. The Judge then asked for clarification on the appropriate action to be taken, after he requested a motion to rescind this Commissioners' Court previous action and authorize the loan proceeds of \$210,000.00 for the payment of the Sheriff's Department vehicles and appropriate the \$70,000.00 for the payment of the Sheriff's Department, from the General Fund. A motion was made by Commissioner Arcaute, but before it was voted on, Commissioner Camarillo asked for some additional explanation on the action that was needed. A discussion then ensued in which Steve Austin stated that only a portion of the previous motion, which was made on the meeting of June 14th, 1993, would be rescinded; that portion concerning the purchase of vehicles. A motion was then made by Commissioner Arcaute, seconded by Commissioner Camarillo, to rescind the action taken on 6/14 in what was related to the purchase of vehicles for the Sheriff's Department.

MOTION CARRIED.

4/A&B

A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to authorize the appropriation of the loan proceeds, of \$210,000.00 and also appropriate the \$70,000.00, from the General Fund.

MOTION CARRIED.
SEE "EXHIBIT L"

(07/12/93)

ITEM 5. PCT. #1:

- A. Authorize to advertise for the purchase of three (3) ditch bank mowers

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to authorize the purchase of three ditch bank mowers, with trade-in; bid opening to be August 4th, bid award to be August 9th.

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 6. PCT. #3:

- A. Authorization to decrease Park Fund position #6 and increase Park Fund #7

A motion was made by Commissioner Rosel, seconded by Commissioners Camarillo and Sanchez, to approve the decrease of Park Fund slot #6, by \$872.00 and increase Park Fund slot #7 by same amount.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 7. PCT. #4:

- A. Authorization for Budget Amendment from Road & Bridge County Wide (\$7,326.53)
B. Request authorization to advertise for lease of Farm Land
C. Authorization and approval to exempt Eradio Molina from the Competitive bidding

7/A

Commissioner Camarillo explained that this was for the relocation of a line from Mobile Oil Company and the acquisition of land for the extension of Jackson Road in the amount of \$7,326.53. A motion was made by Commissioner Camarillo, seconded by Commissioner Sanchez, to authorize a budget amendment, for Road & Bridge County Wide for \$7,326.53, for right-of-way utility relocation.

MOTION CARRIED.
SEE "EXHIBIT O"

7/B

Commissioner Camarillo informed the Court that sometime last year this Court had awarded a six month contract on some farmland that the County owns on the County jail site and the landfill site. He stated that this contract would again be awarded on September 1st, after going out for bids and he was at this time requesting to advertise for bids for the leasing of this farmland. A discussion then ensued, with the County Judge explaining that there would be some construction on this site prior to August 31st, 1994 and he had no problem in leasing this property "with the understanding that if we do, we go in there and we just, if there's a crop we just run over it". Commissioner Camarillo then recommended that this be stipulated on the advertisement and this resulted in further discussion. Judge Ruiz then stated that, "we will set up a lease whereby, his cash lease will be refundable in lieu if we need to use that land in any way, shape or fashion. There will be a total disregard for his crop". A motion was then made by Commissioner Camarillo, seconded by Commissioner Rosel, to authorize the advertising for lease of farmland with the following stipulations, bid opening for this lease will be August 4th, bid award will be August 9th.

MOTION CARRIED.

SEE "EXHIBIT O"

7/C

Commissioner Camarillo explained that this was an individual who would do some welding work at the landfill and his services had exceeded \$10,000.00. A brief discussion was initiated by the County Judge with regards to the Commissioner going out for quotes, so as to acquire the best service at the best price, thus constituting an exemption. A motion was made by Commissioner Camarillo, seconded by Commissioner Sanchez, to authorize the exemption in the competitive bidding process, to Mr. Eradio Molina, under a personal service contract.

MOTION CARRIED.
SEE "EXHIBIT O"

ITEM 8. ECONOMIC DEVELOPMENT - J.D. Salinas:

- A. Discussion and possible action on the acceptance of the Texas Water Commission Oil Recycling Grant through the Lower Rio Grande Valley Development Council
- B. Approval to implement grant
- C. Appropriate grant budget

J.D. Salinas came before the Court and explained that the Lower Rio Grande Valley Development Grant had been awarded \$14,140.00 for used oil recycling from the Texas Water Commission. He stated that this money had been divided amongst three Counties with each receiving an amount of \$4,713.00 and he was at this time requesting authorizing to approve this grant. He explained that this grant worked on a reimbursement basis with no cash match needed and basically it paid for equipment to do oil recycling. Judge Ruiz then added that this grant would also be the subject of a Workshop to be held in conjunction with the City of Edinburg. A motion was then made by Commissioner Camarillo, seconded by Commissioner Arcaute, to authorize a grant with the Texas Water Commission Oil Recycling and Lower Rio Grande Valley Development Council, implementation to be established within the County and an appropriation of \$4,713.66, for the purchase of equipment.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 9. NOE CAVAZOS - Administrative Assistant:

- A. Approval of Interlocal Cooperation Agreement between Hidalgo County and the Hidalgo County Water Development Board

Noe Cavazos came before the Court and stated that for the funds to be properly transferred they needed an interlocal agreement with the Hidalgo County Water Development Board. After a brief discussion, in which Steve Austin, the County Auditor, explained that there were several interlocal agreements with the various cities, but no agreement between the Commissioners' Court and the Hidalgo County Water Development Board, a motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the interlocal agreement between the Hidalgo County Water Development Board and the County of Hidalgo.

MOTION CARRIED.
SEE "EXHIBIT Q"

(07/12/93)

ITEM 10. PURCHASING DEPARTMENT:

A. Request to Advertise:

1. Reinforced concrete pipe - Hidalgo County

A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to authorize the advertising for bids for the purchase of various sizes of reinforced concrete pipe, it's a County Wide bid; bid opening August 4th, bid award August 9th; bid should be for a period of one year.

MOTION CARRIED.

SEE "EXHIBIT R"

ITEM 11. URBAN COUNTY:

- A. City of Alton - Approval of bid - 1994 15-passenger van
- B. City of Edcouch - budget amendments Yr. '91, '92
- C. City of Granjeno - '93 Interlocal Agreement
- D. City of Hidalgo - Professional Services Contract
- E. City of La Joya - Change Order #1
- F. City of Penitas - '93 Interlocal Agreement
- G. City of Progreso - '93 Interlocal Agreement
- H. Authorization to enter into Interlocal Cooperative Contract with the Texas Water Commission and Advertise for proposals
- I. Approval of bills

11/A

Anthony Covacevich, Urban County Director, informed the Court that the City of Alton had advertised for bids for the purchase of a 15-passenger van, for their Senior Citizen Center and they had received only one bid. A motion was made by Commissioner Rosel, seconded by Commissioners Arcaute and Sanchez, to accept the sole bid [from Bert Ogden Chevrolet, Inc.] for the purchase of a 15-passenger van, jointly to be used by the City of Alton and the Development Council, for the Senior Citizen Program; the bid amount is \$20,998.54.

MOTION CARRIED.

SEE "EXHIBIT S"

11/B

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to authorize a budget amendment for Years '91 and '92, for the City of Edcouch Urban County Funds, as presented.

MOTION CARRIED.

SEE "EXHIBIT S"

11/C, F&G

Mr. Covacevich explained that they had sent '93 interlocal agreements to the Cities of Penitas, Progreso and Granjeno, for technical assistance and the Hidalgo County Urban County Department had agreed to assist them in preparing their 1993 applications to the State for funding under the State Community Development Program. This interlocal agreement would set the administrative responsibilities of both entities and also give the County the authority to apply and administer their programs for them; for this the County would receive compensation for time actually spent on the projects, for all three cities. After a brief discussion, a motion was made by Commissioner Sanchez, seconded by Commissioner Rosel, to approve the interlocal agreements, individually, for Granjeno, Penitas and Progreso.

MOTION CARRIED.

SEE "EXHIBIT S"

(07/12/93)

7

11/D

A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to approve a professional service contract, an architectural contract with Design Group International, for \$20,000.00, which will be for the joint construction of a Health Clinic, by the City of Hidalgo and the County of Hidalgo, through Precinct Two; total construction cost is approximately \$200,000.00.

MOTION CARRIED.
SEE "EXHIBIT S"

11/E

A motion was made by Commissioner Rosel, seconded by Commissioner Sanchez, to approve a change order with McCrea Water Tower Inc., for flood lights for their [City of La Joya] water tower.

MOTION CARRIED.
SEE "EXHIBIT S"

11/H

Anthony Covacevich explained that this was for a study on the water consumption rates in the colonias and he went on to explain the need for this. A lengthy discussion then ensued with the size of the families, landscaping, fire protection and overall water conservation, by the colonia residents, being taken into consideration. A motion was then made by Commissioner Sanchez, seconded by Commissioner Arcaute, to authorize the entering into an interlocal cooperative contract with the Water Commission and in lieu of that contract authorize the advertising for proposals, for the study within the rural areas on water use; bid opening to be August 4th, bid award August 9th.

MOTION CARRIED
SEE "EXHIBIT S"

11/I

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the 1990 Urban County bills #4902 and #4903 totaling \$19,028.76; the 1991 Urban County bills #4904 and #4905 totaling \$11,182.71; the 1992 Urban County bills #4906 thru #4912 totaling \$29,658.61; the 1992 Emergency Shelter Program bill #4913 in the amount of \$625.00; the Colonia 1-A Program bills #4914 and #4015 totaling \$15,726.61; the Colonia 1-B Program bills #4916 and #4917 totaling \$48,506.20 and the 1992 HOME Program bill #4918 totaling \$670.00. The total Urban County memorandum to be approved is \$125,397.89.

MOTION CARRIED.
SEE "EXHIBIT S"

ITEM 12. EXECUTIVE SESSION:

- A. Commissioners' Court may go into Executive Session pursuant to article 6252-17, Section 2g, V.T.C.S. to discuss the following matter:
1. Contract negotiations for Carol E. West as Executive Director for the Hidalgo County Office of Employment & Training

NO ACTION.

ITEM 13. OPEN SESSION:

- A. Contract negotiations for Carol E. West as Executive Director for the Hidalgo County Office of Employment &

Training

NO ACTION.
SEE "EXHIBIT T"

There being no further business to come before the Court, a motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, 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. REQUEST TO ADVERTISE:
A. Tires

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to authorize the advertising for bids for the purchase of tires of all sizes and all types for the drainage district; bid opening to be August 4th, bid award to be August 9th; this is a one year contract.

MOTION CARRIED.
SEE "EXHIBIT U"

ITEM 2. CHANGE ORDER #1 - Pump Structure #4 South of Donna

A motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to approve a change order increasing the contract with Carkenord & Sons Construction Company, by \$638.00.

MOTION CARRIED.
SEE "EXHIBIT V"

ITEM 3. APPROVE AGREEMENT BETWEEN DRAINAGE DISTRICT #1, HIDALGO COUNTY IRRIGATION DISTRICT #1 AND CITY OF MISSION FOR DRAINAGE IMPROVEMENTS

A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve the agreement between the Drainage District, the Irrigation District and the City of Mission, for the construction of bridges.

MOTION CARRIED.
SEE "EXHIBIT W"

(07/12/93)

ITEM 4. LINE ITEM TRANSFER

A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve a line item transfer of \$29,600.00.

MOTION CARRIED.
SEE "EXHIBIT X"

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

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 12TH day of JULY, 1993.

ATTEST:

WILLIAM R. LEO, County Clerk
Hidalgo County, Texas



By: Jennifer Castillo
Jennifer Castillo, Deputy