

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 3RD day of
AUGUST, 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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The Honorable J. Edgar Ruiz, County Judge, called the Commissioners' Court meeting to order, whereupon the following proceedings were had, to-wit:

Before he began, the County Judge made an announcement that some dignitaries from Mexico would be in the Valley today and he gave a brief rundown of their agenda, after which he encouraged this Commissioners' Court to attend a meeting with them at the Hidalgo County Historical Museum.

CONSENT AGENDA

ITEM 1. APPROVAL OF MINUTES - July 12, 1993
July 20, 1993

ITEM 2. APPROVAL OF BILLS - County Auditor

General Fund	- #91232 - #91414	- \$1,385,590.09
Special Revenue Fund	- #89214 - #89348	- \$ 645,788.82
Capital Projects Fund	- # 4644 - # 4645	- \$ 63.58
Trust and Agency Fund	- # 3600 - # 3604	- \$ 263,210.67
Enterprise Fund	- # 1554 - # 1556	- \$ 4,410.10

(SEE "EXHIBIT A")

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:

A. Justice of the Peace:

1. Rene Torres	- \$13,470.73	- June
2. Arnaldo Corpus	- \$10,465.04	- June
3. Guadalupe Garces	- \$12,409.50	- June

B. Constables:

1. Horacio Aguirre	- \$ 0.00	- June
2. Luis Zamora	- \$ 1,421.00	- June
3. Gilbert Alaniz	- \$ 245.00	- June
4. Rumaldo Cerda Jr.	- \$ 233.00	- June
5. Eduardo Bazan	- \$ 0.00	- June

(SEE "EXHIBIT B")

ITEM 4. INTERNAL LINE ITEM TRANSFERS:

A. District Clerk	- \$1,743.83
B. County Clerk	- \$1,500.00
C. Pct. #2 - Parks	- \$1,500.00
- Road/Bridge, Administration	- \$800.00
D. Constables	- \$371.55
E. J.P. Pct. #4 Pl. #2 - Rene Torres	- \$725.00
F. Sheriff's Department	- \$2,040.00
G. Juvenile Probation Department (State Funds)	- \$3,000.00
H. Employment & Education (Adult Prob. - '92 Performance Rewards)	- \$146.98
I. Health Department - Administration	- \$2,500.00
J. Health Department - Clinics	- \$2,500.00
K. Health Department - MCH Grant	- \$20,000.00

- L. WIC - \$500.00 & \$700.00
 - M. Buildings/Grounds - \$600.00
 - N. Youth Village - Performance Rewards - \$657.00
- (SEE "EXHIBIT C")

ITEM 5. PLANNING DEPARTMENT:

- A. Subdivisions:
 - 1. Lot II-A, J.W. Brown Subdivision - Pct. #2
 - 2. Lots 1 & 5 of Sharyland Place Subdivision - Pct. #3
 - 3. Olga A. Cavazos Subdivision - Pct. #3
 - 4. Lots 1A through 5A and 10A and 12A Woodland Court Subdivision - Pct. #4
 - 5. Las Fuentes Village II Subdivision - Pct. #4
 - 6. Lots 1A, 1B, Dove Cove Subdivision - Pct. #4
 - 7. Lot 1-A, Palms Community Center No. 2 Subd. - Pct. #4
 - 8. Jackson Manor Unit No. 1 Subdivision - Pct. #4

(SEE "EXHIBIT D")

ITEM 6. PERMITS:

- A. North Alamo Water Supply - Pct. #1
- B. Sharyland Water Supply Corporation - Pcts. #3 & #4

(SEE "EXHIBIT E")

The County Judge requested that Item 5/A/8, under the Planning Department, be omitted from the Consent Agenda and that it be placed under the Regular Agenda. Judge Ruiz then asked the Commissioners if they had any questions and/or comments on any of the remaining items, during which Commissioner Rosel made some comments regarding the Constable fee reports. There being no further comments, a motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, and carried unanimously, to approve the Consent Agenda, as presented.

MOTION CARRIED.
SEE "EXHIBITS A-E"

REGULAR AGENDA
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MOVED TO ITEM #8 BY CONSENSUS

- ITEM 8. BUDGET AMENDMENTS:
 - A. 370th District Court
 - B. 93rd District Court
 - C. Lunacy Trials
 - D. General Litigation

8/A

State District Judge Fidencio Guerra came before the Commissioners' Court requesting that a budget amendment in the amount of \$11,000.00, be approved. His reason for this was that he felt that his present budget would not carry him through the remainder of the year. A discussion then followed during which Judge Guerra stated that he was not pleased with the way that the County Auditor was doing things. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve a budget amendment, for the 370th District Court, increasing his budget by \$11,000.00.

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MOTION CARRIED.
SEE "EXHIBIT M"

8/B

After a request by State District Judge Fernando Mancias, regarding the need for funds to purchase carpeting for his offices and courtroom, a motion was made by Commissioner Arcaute, seconded by Commissioners Camarillo and Sanchez, to approve a budget amendment, for the 93rd District Court, increasing Judge Fernando Mancias' budget by \$4,463.93.

MOTION CARRIED.
SEE "EXHIBIT M"

Judge Mancias then commented on the need for additional security during the upcoming trials involving the juveniles for the capital murder shooting of a McAllen Police officer and another juvenile. It was his understanding that there would be quite a bit of retaliation from opposing gang members.

8/C

A motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to approve an increase in the amount of the line item for lunacy trials, by \$800.00, as a budget amendment.

MOTION CARRIED.
SEE "EXHIBIT M"

8/D

A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to approve a budget amendment of \$42,000.00 under General Litigation.

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 1. APPROVAL OF RESOLUTION - "Back to School Campaign" - Image Youth Services Systems

Mr. Manuel Garcia, Jr. came before the Court requesting approval of a resolution encouraging children to go back to school. A motion was then made by Commissioner Camarillo, seconded by Commissioner Rosel, to approve a resolution and proclaim the week of August 9th through the 13th, as "Back to School Week".

MOTION CARRIED.
SEE "EXHIBIT F"

ITEM 2. APPROVAL OF RENEWAL OF LEASE SPACE CONTRACT WITH THE STATE OF TEXAS - (Senator Truan)

Judge Ruiz explained that this was a renewal of the present lease, with no changes. The terms would be for \$218.00 per month for a period of one year. A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to approve the lease space contract, as presented.

MOTION CARRIED.
SEE "EXHIBIT G"

ITEM 3. AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION FOR MINIMUM SECURITY FACILITY - HIDALGO COUNTY

Judge Ruiz explained that after review with Travis Heister, Steve Austin and Pete Tart, he felt that the best way to finance the minimum security facility would be through a small issue of certificates of obligation, totaling \$150,000.00. A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to authorize the publication of the notice of intent to issue certificates of obligation for the minimum security facility in the amount of \$150,000.00; this will be series 1993.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 4. APPROVAL OF CONTRACT BETWEEN HIDALGO COUNTY AND LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL - Health Department

Dr. Charles Wilson, Health Director, informed the Court that he had been approached by the Lower Rio Grande Valley Development Council to do health assessments for an amount of \$25,000.00. He explained that presently, his office was offering this type of services and he was recommending approval. A motion was made by Commissioner Camarillo, seconded by Commissioners Rosel and Arcaute, to approve a contractual agreement between the County of Hidalgo, through its Health Department, and the Lower Rio Grande Valley Development Council; this is a contract to do health assessments and routine screenings to elderly people in Hidalgo County, we will serve a minimum of 600 people; the budget calls for \$25,000.00 of which \$5,500.00 will be used for salaries and fringes.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 5. REQUEST TO ADVERTISE FOR CONSTRUCTION OF JUVENILE DETENTION FACILITY

Lisa Saucedo, from the County Judge's Office, and Ray Vargas, Engineer, came before the Court and stated that the specifications for the new Juvenile Detention Facility had been redrawn, in order to come within budget. In this way, Mr. Vargas stated, they would be constructing space for eleven additional beds. After a brief discussion, a motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to authorize the advertising for bids for the construction of the juvenile detention facility addition; August 25th to open and September 1st to award.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 6. SHERIFF'S DEPARTMENT:

- A. Authorization and approval to replace and reclassify positions
- B. Approval of salary increases - Nine (9) positions

Bob Davis, Chief Deputy Sheriff, came and informed the Court that an Adult Detention Captain had resigned and he was wanting to reclassify this position to a detention officer position and distribute

the remainder of the salary of the original position, between nine other Lieutenants. His reason for this was that these gentlemen had already divided the responsibilities of this former position among themselves. After a brief discussion, a motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to authorize and approve the elimination of position No. 3, and create a new position which is a detention officer at a salary of \$16,038.00; the remaining balance of the account will be distributed to the nine detention lieutenants which will be receiving approximately a \$1,284.00 increase; basically the change will be from \$21,088.00, which is the present salary to \$22,368.44; effective August 16th.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 7. AUTHORIZATION AND APPROVAL TO ADD AN ADDENDUM TO THE COUNTY OF HIDALGO PERSONNEL POLICY MANUAL TO INCORPORATE THE FAMILY & MEDICAL LEAVE ACT OF 1993

Judge Ruiz gave a brief explanation of an addendum to be incorporated into the County Personnel Policy Manual with respect to medical leave. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the authorization to condense these policies, and present to this Commissioners' Court, at a future date, an addendum to our personnel policies with the philosophies as to how to reach and comply with the Family and Medical Act.

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 9. PCT. #1:

- A. Consideration and approval of contract of agreement between Lott & Town Improvement Subdivision Lot #9 (Old La Blanca Road) and Hidalgo County Pct. #1

County Commissioner Sam Sanchez informed the Court that this was a project to facilitate drainage within this colonia. He explained that it was a joint venture agreement between Lott & Town Improvement Subdivision Lot #9, on Old La Blanca Road, and Precinct No. One. He then presented the County Judge with \$1,400.00 that was being contributed to the County Treasury to be used to purchase drainage pipes for this project. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the agreement between Lott & Town Improvement Subdivision Lot #9, located on Old La Blanca Road, and the County of Hidalgo.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 10. PCT. #4:

- A. Authorization to waive the competitive bidding process for Santiago Ramon, Jr. hauler for Pct. 4 and introduce affidavit of sole proprietor and operator

Commissioner Camarillo explained that he was wanting to acquire the services of Mr. Santiago Ramon, Jr., for hauling of caliche to work-sites in Precinct Four. After a brief discussion, a motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to authorize

the waiver from the competitive bidding process for Mr. Santiago Ramon, Jr., who will do hauling of material for Precinct Four; we are doing it under sole proprietor and operator of his own tractor/trailer rig; for a period of one year.

MOTION CARRIED.
SEE "EXHIBIT O"

ITEM 11. PURCHASING DEPARTMENT:

- A. Award bids:
 - 1. 1993 Passenger Van - Adult Probation
 - 2. Minimum Security Facility - Sheriff's Department
- B. Declare Equipment Salvage:
 - 1. Batteries & Scrap metal

11/A/1

A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to award bid to the low and sole bidder being Tip-O-Texas Chevrolet, out of Brownsville, for the purchase of a 1993 fifteen (15) passenger van at a cost of \$17,526.00 and meets all specifications.

MOTION CARRIED.
SEE "EXHIBIT P"

11/A/2

A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to award bid to Sweezy Construction, the base bid and alternate No. 1 totaling \$226,346.00, as low bid for the minimum security facility.

MOTION CARRIED.
SEE "EXHIBIT P"

11/B

Mary Maldonado, the Purchasing Agent, informed the Commissioners' Court that she had received a great deal of batteries and scrap metal, from various departments, and she was wanting to dispose of them. She explained that she had gone out for quotes for the batteries, of which Tri-City Battery & Electric, out of Pharr, was willing to purchase the batteries at \$1.00 per battery; for the scrap metal, Weslaco Salvage was the highest bidder at \$25.00 to \$40.00 per ton depending on the quality of the scrap metal. A motion was then made by Commissioner Sanchez, seconded by Commissioner Arcaute, to authorize the selection of the highest bidder for the salvage of batteries, which would be Tri-City Battery & Electric, out of Pharr and for scrap metal it will be Weslaco Salvage, out of Weslaco, Texas.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 12. PLANNING DEPARTMENT:

- A. Subdivisions:
 - 1. Dina Subdivision - Pct. #3
 - 2. Oscar Subdivision - Pct. #3
- B. Final Plat Approval:
 - 1. Cactus Land Phase III Subdivision - Pct. #4
- C. Preliminary Plat Approval:
 - 1. Lots 33 through 34, El Sol Subdivision Unit 2 - Pct. #3
 - 2. El Sol Subdivision Unit III - Pct. #3
- D. Preliminary Plat Approval and Variance Request:

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1. Italian Village Subdivision - Pct. #4

12/A/1

A motion was made by Commissioner Rosel, seconded by Commissioners Camarillo and Arcaute, to approve the plat of Dina Subdivision, which is located approximately 2000 feet north of the 4 Mile Line on the east side of Bentsen Road, City of McAllen, Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT Q"

12/A/2

A motion was made by Commissioner Rosel, seconded by Commissioner Camarillo, to approve the plat of Oscar Subdivision, which is located approximately 200 feet north of the 7 Mile Line on the east side of Taylor Road, City of McAllen, Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT Q"

12/B

A motion was made by Commissioner Camarillo, seconded by Commissioners Rosel and Arcaute, to give final approval to the plat of Cactus Land Phase III Subdivision, which is located approximately 1/3 of a mile north of F.M. 2812 on the west side of U.S. Hwy. 281, in the rural area of the County, in Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT Q"

12/C/1

A motion was made by Commissioner Rosel, seconded by Commissioner Camarillo, to give preliminary approval to the plat of Lots 33 through 34, El Sol Subdivision Unit #2, which is located on the southwest corner of the 4 Mile Line and Trooper Road, City of Palmhurst, Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT Q"

12/C/2

Emilio Garcia, the Chief Planner, came before the Commissioners' Court requesting preliminary approval of El Sol Subdivision Unit III contingent on the completion of the excavation of the drainage ditch section adjacent to the subdivision in accordance to the County plans and the Hidalgo County Right-of-Way Department. A brief discussion then ensued, with Commissioner Rosel stating that he wanted to make sure that there would be no flooding problems within this subdivision. The County Judge then recommended that the developer be notified that both the Planning Department and the Drainage Department are proposing a drainage ditch in this area and that he, the developer, be required to provide a certain number of outlets to this ditch. After further discussion, a motion was made by Commissioner Rosel, seconded by Commissioners Camarillo and Arcaute, to TABLE the preliminary approval of El Sol Subdivision Unit III.

MOTION CARRIED.
SEE "EXHIBIT Q"

12/D

Mr. Garcia presented this plat and then explained that he was not recommending it for preliminary approval due to there being no road easements or easements as public roads and also he had a concern on the spaces that were on the original plat, that there were no provisions for septic tanks within the lots. Steve Spoor, the Engineer for the Developer, then came before the Court and stated that there were two easements going into the property and the plat was planned as

an R.V. park, and the lots would be used for rental purposes only. Also he mentioned that they had installed some type of septic/irrigation system which had been approved by the Texas Water Commission. After further discussion, a motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to TABLE this subdivision, at this time.

MOTION CARRIED.

RETURNED TO ITEM 5/A/8 ON THE CONSENT AGENDA

ITEM 5/A/8 JACKSON MANOR UNIT NO. 1 SUBDIVISION - Pct. #4

Vona Walker explained that within this subdivision there was a gas easement which was owned by Trunkline Gas Company. She then introduced Kenneth Newman, from Trunkline Gas, who informed the Court that they had a high pressured gas line and they were in fear of having anyone digging into this easement and hitting the line. He also stated that due to the way this subdivision was proposed to be subdivided, it would be almost impossible for Trunkline Gas to properly maintain their pipeline. His request at this time was to add a notation to the plat stating that there was an easement there and that there were restrictions and to give perspective buyers an opportunity to find out what those restrictions were. Steve Spoor, a Registered Professional Engineer, then spoke on behalf of the Developer and he did not feel there would be a problem with the placing of a notation on the plat that stated that "certain restrictions do apply to the easement". The County Judge then read the proposed statement to be included in the plat and it stated that "no encroachment of any kind will be allowed within the confines of Trunkline Gas Company's 55' easement, being 15' on the West side of an existing 20" Natural Gas pipeline and 40' on the East side of said pipeline; said restrictions will include fences of any kind". After a brief discussion, a motion was made by Commissioner Camarillo, seconded by Commissioner Sanchez, to approve the plat of Jackson Manor Unit No. 1 Subdivision, which is located approximately 546 feet west of North Jackson Road on the south side of Samano Street, inside the city limits of Edinburg, in Precinct Four, contingent on the two particular paragraphs be added to the plat of the no encroachment and no utility within the parallel.

MOTION CARRIED.
SEE "EXHIBIT Q"

ITEM 13. URBAN COUNTY:

- A. Affirmative Action Plan
- B. City of Alamo - Change Order #2 for Water/Sewer Facility
- C. Pct. #4 - Street Paving Contract Award - Year 5
- D. Approval of bills

13/A

Anthony Covacevich, Urban County Director, came before the Court and gave a brief outline of the affirmative action plan, as proposed by the Federal Government for departments administering federal funds. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the affirmative action plan, for the Hidalgo County Urban County Program, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

13/B

A motion was made by Commissioner Arcaute, seconded by

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Commissioner Sanchez, to approve change order #2, with Fitzgerald Contracting, the County of Hidalgo and the City of Alamo; increasing their contract by \$2,802.00.

MOTION CARRIED.
SEE "EXHIBIT R"

13/C

A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to do a bid award to the sole bidder being Mission Paving Co., at \$1.80 per unit price of hot mix.

MOTION CARRIED.
SEE "EXHIBIT R"

ADD. 1. URBAN COUNTY:

A. City of La Villa - Approval of 1992 Interlocal Agreements

Anthony Covacevich, Urban County Director, informed the Court that the total allotment for the City of La Villa was \$365,875.93. He then stated that this action would release partial funds in the amount of \$275,479.93; this being minus \$90,000.00 for the HUD finding on the Housing Rehab. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the interlocal agreement with the City of La Villa, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

13/D

A motion was made by Commissioner Sanchez, seconded by Commissioner Camarillo, to approve the CDES Account bill #4956 in the amount of \$141.83; the 1988 Urban County bills #4957 and #4958 totaling \$2,100.00; the 1990 Urban County bill #4959 in the amount of \$832.55; the 1991 Urban County bills #4960 thru #4963 totaling \$55,890.27; the 1992 Urban County bills #4964 thru #4967 totaling \$25,450.91; the 1993 Urban County bills #4968 and #4969 totaling \$1,224.00 and the Colonia 1-A Program bills #4970 thru #4973 totaling \$36,669.05. The total Urban County memorandum to be approved is \$122,308.61.

MOTION CARRIED.
SEE "EXHIBIT R"

There being no further business to come before the Court, a motion was made by Commissioner Camarillo, 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. PERMIT - City of Mercedes

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve a request for permit by the City of Mercedes, for a twelve inch entrance into a ditch that is owned by Irrigation District #9.

MOTION CARRIED.
SEE "EXHIBIT S"

ITEM 2. AWARD BID:
A. Herbicides

Mary Maldonado, the Purchasing Director, came before the Drainage District and informed them that there had been two bidders for the purchase of herbicide and they had both submitted a bid of \$1,113.90. The awarding of the bid was then decided by lot, after which a motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to accept the bid of Terra International, out of Edinburg.

MOTION CARRIED.
SEE "EXHIBIT T"

There being no further business to come before the Drainage District, a motion was made by Commissioner Sanchez, seconded by Commissioner Sanchez, that said meeting 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

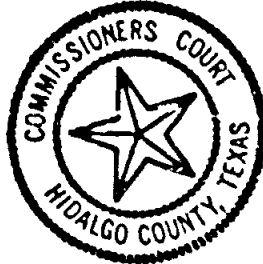
Juan Rosel _____
County Commissioner, Precinct #3

Leonard Camarillo _____
County Commissioner, Precinct #4

Dated this 3RD day of AUGUST, 1993.

ATTEST:

WILLIAM R. LEO, County Clerk
Hidalgo County, Texas



By: JX
Jennifer Castillo, Deputy