

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 24TH 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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DRAINAGE DISTRICT
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The Honorable J. Edgar Ruiz called the Drainage District meeting to order whereupon the following proceedings were had, to-wit:

ITEM 1. INTERNAL LINE ITEM TRANSFERS

A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to approve an internal line item transfer totaling \$20,100.00.

MOTION CARRIED.
SEE "EXHIBIT U"

ITEM 2. AUTHORIZATION TO SELECT VARIOUS SUBDIVISIONS FOR IMPROVEMENTS

ITEM 3. AUTHORIZATION TO SELECT AN ENGINEER FOR PRELIMINARY PLANS FOR IMPROVEMENTS

ITEM 4. SEEKING LEGAL COUNSEL FOR POSSIBLE LITIGATION

2,3&4

Judge Ruiz informed the Court that due to the recent outpouring of Tropical Storm Arlene, in County had been in a position to test the drainage system, it had implemented a few years ago. He added that it had worked well, but unfortunately there were some gaps, which had not yet been connected. These, he continued, were in the general location where it was most difficult to drain overflows. He then stated that in this area, there were a number of subdivisions which had either been established prior to or after the subdivision regulations had been implemented, which had had some serious drainage problems. He stated that FEMA had originally denied our petition for assistance, which was being appealed, and thus the County was looking for alternative fund sources within the State of Texas and the Federal Government, to possibly assist the families in these areas. He said that he had directed the Chief Planner and his staff to identify about twelve or thirteen subdivisions, that were situated in these critical areas, with the largest populations. The County, he added would help in two ways: 1) to "appoint engineers to actually review preliminarily and give construction estimates or give a method of repairing this drainage problem" and 2) give an estimation of the cost for improving those particular subdivisions. Commissioner Arcaute then asked what they were hoping to achieve with this and the County Judge responded that the goal was to go "into the subdivisions to do drainage work and take that particular water to the closest available ponding and/or drainage ditch". Commissioner Sanchez then ensued a discussion regarding some of the present problems of drainage within the subdivisions, with additional comments by Judge Ruiz. It was during this discussion that Commissioner Sanchez stated that he was presently doing improvements of this type with the assistance of the residents, in that they were putting up part of the cost, mostly that of the pipes, and the Precinct would put in the rest. The County Judge then stated that ultimately that would probably be the route that would have to be taken, with the residents assisting in this endeavor.

The County Judge then stated that aside from doing engineering studies, he would recommend that Legal Counsel review all subdivisions that have been platted "to seek the possibility of filing lawsuits a-

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gainst the developers, in hopes that they will assist in the possibility of improving these lots". He stated that some of the drainage reports that have been looked at, are very deceptive, in that there are things that they may have and may not have done, in terms of drainage, and he feels that there is a great possibility that lawsuits can be filed against the developers and "force them to the table to negotiate improvements to the subdivisions". Commissioner Arcaute then made a few comments concerning the provision of ditches or ponds for the outfall of this excess water. After further discussion, Judge Ruiz called upon Emilio Garcia, the Chief Planner, to come forward and present a list of the possible subdivisions which would be looked at and studied.

Mr. Garcia then stated that in Precinct One, the proposed subdivisions were as follows:

La Mesa Subdivision - which is located on
Mile 11 North Road and Mile 1 1/2 West Road

Big John Subdivision - which is located on
6 Mile Line West, approximately 700 feet
south of 14 1/2 North

Heidelberg Subdivision - which is located
on Mile 9 1/2 and Mile 2 East

In Precinct Two the proposed subdivisions are as follows:

Primavera No. 2 - which is located on Min-
nesota Road approximately 1/2 mile east
from Raul Longoria Road

South Fork Estates - which is located on I
Road, 1/4 mile north of Military Highway 83

In Precinct Three the proposed subdivisions are as follows:

Linda Vista Estates - which is located on
Troster Road about 1/2 mile south of Mile
4 North

El Sol #1 & #2 - which are located on 4
Mile Line and Troster Road

Perezville Community - which is the Wood
Subdivision, and is on the southwest corn-
er of Abram Road and Highway 83

In Precinct Four, the proposed subdivisions are a follows:

Hoehn Drive Subdivision - which is located
on Hoehn Drive and Monte Cristo Road

Bar Subdivision Unit #5 - which is located
on Doolittle, north of 1925

Las Villas Del Valle - which is located
between Alberta and Tower Road, along
Tower Road

El Charro Subdivision #2 - which is located
on Tower Road, between Tower Road and Owassa
Road, about an 1/8 of a mile west of Tower
Road

Judge Ruiz then suggested that they add Rancho Santa Cruz, which is located north of the Summit. He stated that the City of McAllen has requested assistance for this particular area and some engin-

eering work had already been done in this area. Vona Walker added that there was some engineering work going on in Hoehn Drive Subdivision, as well. Judge Ruiz then added that at this time he was looking to appoint some engineers, as well a legal counsel to commence these plans.

The developer of El Sol #1 and #2 stated that he had built a drainage system which needed to be connected to the drainage ditch, and he added that the previous Commissioner for Precinct Three had assured him that the drainage ditch would be built. As a suggestion, the Commissioner had recommended that the school that was built nearby should drain into this subdivision, as they would all eventually drain into a County drain ditch. The developer stated that since the ditch had not been built, this added outfall had done nothing but exacerbate the problem. Judge Ruiz then told him that they would sit down with him and discuss this problem to try to find a solution for all concerned.

Commissioner Camarillo then informed Emilio Garcia that he would like to add Las Palmas Subdivision, situated south of Richardson Road, F.M. 2128, between Alamo and Tower Roads, in Precinct Four. The County Judge then stated that, to begin with, the original plan was to look at about ten or twelve subdivisions, in order to budget appropriately with the Drainage District. Commissioner Sanchez also mentioned if Sunrise Subdivision, which was located on F.M. 1015, between the 11 and 12 Mile Line, and Mr. Garcia said that they had. Roy Gonzalez then stated that what they had done was submitted the subdivisions with the most houses and were submitting those for the Court's consideration at this time.

Judge Ruiz then stated that, for these projects, he would like to recommend the engineers that do quite a bit of work within the County Precincts, being Quintanilla, Headley & Associates, R.E. Garcia & Associates, Sigler, Winston & Greenwood, Noe Garza Engineers, S.A. Garza Engineers, Melden & Hunt, Phase V Engineers and Salinas & Associates. As legal counsel, he was recommending the appointment of Mr. Travis Heister, to review and possibly, if necessary, proceed with litigation against one or more developers that may not be in compliance.

A motion was made by Commissioner Rosel, seconded by Commissioner Camarillo, to authorize the selection of various subdivisions for improvements [those being La Mesa, Big John, Heidelberg, Primavera #2, South Fork, Linda Vista, El Sol #1 & #2, Perezville, Hoehn Drive, Bar Subdivision, Las Villas del Valle, El Charro #2, , El Rancho Santa Cruz and Las Palmas], the engineers have been the eight engineers that have been mentioned and our Legal Counsel, Travis Heister, for possible litigation.

MOTION CARRIED.
SEE "EXHIBIT V"

There being no further business to come before the Drainage District, a motion was made by Commissioner Rosel, seconded by Commissioner Camarillo, that said meeting be hereby adjourned.

MOTION CARRIED.

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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:

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The County Judge began by announcing that there would be a Workshop today at 1:30 PM regarding a presentation on the proposed International Bridge Project, by Mr. George McVea, Mike Blum and some representatives from the City of McAllen.

He also stated that the gangs and drugs conference would be held this weekend, in McAllen, at the Holidome, and it is open to the public.

Judge Ruiz also announced that he had been informed by Steve Austin, the County Auditor, that the estimated revenues, for the following year would be submitted to his office on Monday.

CONSENT AGENDA

ITEM 1. APPROVAL OF MINUTES - August 03, 1993
August 09, 1993
(SEE "EXHIBIT A")

ITEM 2. APPROVAL OF BILLS - County Auditor
General Fund - #91844 - #92003 - \$869,522.24
Special Revenue Fund - #89856 - #90044 - \$314,538.09
Trust and Agency Fund - # 3650 - \$ 25,040.16
(SEE "EXHIBIT B")

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:
A. Sheriff's Department - \$172,782.17 - July
B. District Clerk - \$ 94,219.69 - July
C. Constables:
1. Horacio Aguirre - \$ 0.00 - July
2. Luis Zamora - \$ 1,160.00 - July
3. Gilberto Alaniz - \$ 295.00 - July
4. Rinaldo Cerda - \$ 70.00 - July
5. Eduardo Bazan - \$ 0.00 - July
D. Justice of the Peace:
1. Arnaldo Corpus - \$ 3,547.80 - July
(SEE "EXHIBIT C")

ITEM 4. PLANNING DEPARTMENT:
A. Subdivisions:
1. Gardenia Terrace No. 21 Subdivision - Pct. #4
(SEE "EXHIBIT D")

ITEM 5. INTERNAL LINE ITEM TRANSFERS:
A. Health Department - Mobile Clinic - \$600.00
B. Health Department - Community/Rural Health Grant - \$60.00
C. Health Department - Health Clinics - NO ACTION
D. Health Department - T.B. Control - \$4.00
E. Health Department - Sanitation - NO ACTION
F. Health Department - Co-Pay - \$1,800.00

- G. Health Department - LRGDC Area On Aging - NO ACTION
 - H. C.C. at Law #4 - \$300.00
 - I. J.P. Pct. 4 Pl. 1 - Guadalupe Garces - \$308.00
 - J. WIC - \$2,200.00
 - K. Juv. Prob. Dept. - State - \$9,000.00 & \$25,000.00
 - L. Buildings/Grounds - \$1,086.00
 - M. Pct. #2 - Park - \$3,000.00
Road/Bridge - \$10,000.00
 - N. Pct. #3 - Administration/Paved/Unpaved Roads - \$640.00
 - O. Enterprise Fund - Landfill #3 - \$3,219.15
 - P. Human Services - \$600.00
 - Q. Sheriff's Dept. - \$3,000.00
 - R. Adult Probation - Substance Abuse-Performance Reward
- \$1,400.00
 - S. Adult Probation - Boot Camp - State Funds - \$1,300.00
 - T. 332nd Dist. Court - \$129.00
- (SEE "EXHIBIT E")

ITEM 6. PERMITS:

- A. North Alamo Water Supply - Pcts. #1, #2 & #4
- B. Southwestern Bell Telephone - Pcts. #2 & #3

6/A

In Precinct One, a two inch water line to cross Mile 1 1/2 East south of U.S. Expressway 83. In Precinct Two, for a two-inch water line to cross Rodriguez Street approximately 200 feet south of Minnesota Road. In Precinct Four, with two-inch water lines to cross Davis Road, 1/2 mile west of Brushline Road, to cross Hinojosa Road, 1/2 mile west of F.M. 281 and to cross Valverde Road, 1/4 mile south of F.M. 2812.

(SEE "EXHIBIT F")

6/B

In Precinct Two to cross Alberta Road 1980 feet west of Tower Road; and in Precinct Three, to lay a cables along La Homa Road, beginning 1400 feet north of Mile 7 and going north approximately 6000 feet and to go along Mile 6, beginning 980 feet west of F.M. 492 and going west for 66 feet.

(SEE "EXHIBIT F")

Judge Ruiz asked if there were any questions and/or comments on the Consent Agenda and Commissioner Rosel questioned the reason why, under the Health Department line item transfers, money was being transferred from 03, into other categories. He felt that the 03 monies should be used to give well-deserved increases to employees. The County Judge then stated that the unwritten policy that this Court followed was that no monies could be moved from any line item into 03, but the moving of 03 monies into other categories had always been allowed. Commissioner Rosel still felt that they should not be moved; this was followed by a brief discussion. A motion was made by Commissioner Sanchez, seconded by Commissioners Camarillo and Arcaute, to approve the Consent Agenda, as presented.

MOTION CARRIED.
SEE "EXHIBITS A-F"

REGULAR AGENDA

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(08/24/93)

ITEM 1. ADULT PROBATION DEPARTMENT:

- A. Ministerial approval of 1994 budgets:
 - 1. Supervision
 - 2. Education and Employment
 - 3. Restitution Center
 - 4. Electronic Monitoring
 - 5. Community Corrections
- B. Renewal of Contracts:
 - 1. Dr. Gregorio Pina - (Sex Offender Program)
 - 2. VOREC - (Electronic Monitoring)
 - 3. Dr. Marin Garza (Medical Services)
 - a. Restitution Center
 - b. Boot Camp
 - 4. David Castro - (Pharmacist)
 - 5. Rosalinda Saldana (Nurse)
 - 6. Mujeres Unidas - (Women Together)
- C. Authorization and approval to transfer \$44,543.00 from 1992 Boot Camp Performance Rewards to Certificates of Obligation Boot Camp Capital Project Fund

1/A

Joe Lopez, Adult Probation Director, came before the Court to request that ministerial approval be given to the 1994 budgets. He stated that all the budgets included a 5% proposed raise, across the board, for all employees. The County Judge then questioned the considerable increase in the budget within the last two years and Mr. Lopez explained that this was mainly due to the increases in the salaries and the fringes and also the addition of three new slots. Mr. Lopez also added that there was a slight increase in the projected revenues from \$1,615,000.00 and this year it would be \$1,653,000.00, due to a change in the formula for funding the Departments this year. Commissioner Sanchez then asked what areas would be affected by the decrease and Mr. Lopez responded that it would not affect that many areas. He continued by saying that he had increased the projections on the locally generated funds within a safe margin.

Judge Ruiz then stated that he felt that the budgets should be discussed in order to try to keep a balance, in terms of salaries, that all budgets would be fair, whether they come from the General Fund or from State Funds. He then asked Mr. Lopez to explicate the Education and Employment budget, which was a State Grant. Mr. Lopez continued by explaining the remaining budgets.

After further discussion, a motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to give ministerial approval to the 1994 budgets, as presented.

MOTION CARRIED.
SEE "EXHIBIT G"

1/B/1

Joe Lopez, Adult Probation Director, explained that the first contract was with Dr. Gregorio Pina, under their Sex Offender Program, at a rate of \$60.00 an hour. A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve a contract agreement between Gregorio Pina, a Clinical Psychologist, and Hidalgo County through its Community Supervision and Correction Department; it is a one year contract.

MOTION CARRIED.
SEE "EXHIBIT G"

1/B/2

Mr. Lopez explained that the only changed in the contract with VOREC was that it would be for both the Adult Probation Department and the Juvenile Probation Department. The portion for the Adult Probation would total approximately \$49,500.00 for the year. A

motion was made by Commissioner Rosel, seconded by Commissioner Sanchez, to approve a contract with VOREC, for electronic monitoring, with the County of Hidalgo, through its Adult Probation and for its Juvenile Probation; the contract is for one year.

MOTION CARRIED.
SEE EXHIBIT G"

1/B/3/a

The next contract was for medical services by Dr. Marin Garza, for physical evaluations at the Restitution Center. Mr. Lopez explained that this evaluations are paid for by the residents, at a fee of \$50.00. A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to approve a contract with Dr. Marin Garza, for a period of one year.

MOTION CARRIED.
SEE "EXHIBIT G"

1/B/3/b

For the Boot Camp, Dr. Marin Garza would be giving evaluations to all residents going into the Boot Camp as well as conducting two sick calls a week. He would also be on standby for any emergencies that may be had. The fee for this service is \$2,000.00 per month and the contract is for one year. A motion was made Commissioner Camarillo, seconded by Commissioner Rosel, to approve a contract with Dr. Marin Garza, who is a medical doctor, for services rendered to the Boot Camp.

MOTION CARRIED.
SEE "EXHIBIT G"

1/B/4

Mr. Lopez explained that David Castro is a pharmacist and this contract would be for pharmaceutical services at the Boot Camp and the fee for this would be at \$600.00 per month, for a period of one year. A motion was made by Commissioner Rosel, seconded by Commissioner Sanchez, to enter into contract with Mr. David Castro as soon as the County Legal Counsel reviews the contract.

MOTION CARRIED.
SEE "EXHIBIT G"

1/B/5

A motion was made by Commissioner Rosel, seconded by Commissioner Sanchez, to approve a one year contract with Rosalinda Saldana, for nursing services, at an hourly rate of \$12.50; contract is for one year.

MOTION CARRIED.
SEE "EXHIBIT G"

1/B/6

Mr. Lopez requested that no action be taken on this item at this time, due to there being a disagreement in the amount proposed for the Mujeres Unidas/Women Together program. Judge Ruiz then asked why he was recommending no action on this item and Mr. Lopez stated that due to the reduction in funding, he wanted to review the contract before it was brought before the Court for approval. The County Judge then asked from what budget this would be coming from and Mr. Lopez responded that it would be coming from the Supervision budget. Judge Ruiz then voiced his thoughts on this by saying that he felt that this agency should be funded and he felt that this should have been given priority over salary increases and extra slots.

NO ACTION.

After further discussion, a motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, that a recommendation be sent to the Board of Judges that this Commissioners' Court fully supports the budget of Mujeres Unidas and their budgetary request; and request that the Board of Judges reconsider the budget recommendation for Mujeres Unidas, to increase it to the amount of \$19,600.00.

MOTION CARRIED.

1/C

Mr. Lopez explained that these were the 1992 Performance Reward monies that had been budgeted for the Boot Camp. He added that this was an amount of \$103,554.00, which was to be used to reimburse the construction cost of that project. He stated that this project had been completed and through various needs that had arisen some of these monies had been expended. He was at this time requesting that the balance of \$44,543.00 be transferred to the construction and be credited to the construction of the Boot Camp, through the Obligation of the Certificates. A motion was then made by Commissioner Rosel, seconded by Commissioner Arcaute, to reimburse the construction by an amount of \$44,543.00 of construction cost, by transferring this amount from 1992 Boot Camp Performance Rewards to Certificates of Obligation Boot Camp Capital Project Fund.

MOTION CARRIED.

ADD. 1. AUTHORIZATION AND APPROVAL OF PROCLAMATION DESIGNATING SEPTEMBER 20 -24, 1993 AS "PROJECT RIO WEEK"

Mr. Chuy Flores came before the Court, accompanied by Bert Ellison, Rosie Cavazos, Carmen Torres, Ramon Torres, Richard Pena, Rey Gonzalez, Louie George, Sam Foy and Mr. Villagomez, to explain that this was a State program to assist ex-offenders in finding and keeping employment. Bert Ellis then elaborated on the program, after which a motion was made by Commissioner Sanchez, seconded by Commissioner Camarillo, to proclaim the week of September 20th through the 25th, as "Project Rio Week", as far as Commissioners' Court.

MOTION CARRIED.
SEE "EXHIBIT T"

ITEM 2. COUNTY AUDITOR:

- A. Authorization and approval to transfer from Boot Camp (Capital Projects Surplus) to Debt Service of Certificates of Obligation
- B. Appropriate estimated Revenue for County Records Management Preservation Fund Acct. #108-341-215.00
- C. Appropriate estimated Revenue for Courthouse Security Fund (Senate Bill 243) Acct. #107-341-190.00

2/A

Steve Austin, County Auditor, informed the Court that what he was requesting was simply that Commissioners' Court declare this project completed, so that the surplus construction funds could be transferred to the Debt Service Fund, to retire that debt. He then recommended that it might be a good idea to refund that debt, at the present interest rate, in order to avoid any arbitrage. Judge Ruiz then reminded Mr. Austin that these monies had already been spent and he wanted to know why there would be an arbitrage problem. Mr. Austin then resonded that because there would be \$874,000.00 left in the Debt Service Fund, which would not only apply to the construction fund but

also to the Debt Service Fund. The County Judge then informed the Court that he had previously sent a letter to the District Attorney, for an opinion, because he felt that "Commissioners' Court should have been allowed the discretion either to deobligate the tax dollar, that we put in there to certify that the payment would be made or deobligate a portion of the grant money so that there would be no double-dip[ping] in that particular account". He continued by saying that he was waiting for the District Attorney's opinion to be able to make a ruling on this issue. A discussion then ensued with regards to which avenue would be taken in this matter, and Mr. Travis Heister, County Legal Counsel, advised that action be deferred on this until clarification was received. A motion was then made by Commissioner Arcaute, seconded by Commissioner Rosel, to TABLE Item 2/A.

MOTION CARRIED.
SEE "EXHIBIT H"

2/B

Steve Austin explained that this was item being brought before Commissioners' Court due a new law that was passed by the last Legislative Session, with reference to Senate Bill 1058 "requiring that certain monies be assessed and specifically set aside for County Records Management and Preservation". He stressed that this was not the County Clerk's Records Management Preservation Fund. He stated that he had estimated approximately \$19,700.00 to be received between September 1 and December 31, 1993 and for the following year, he was estimating \$66,800.00. He was at this time requesting the appropriation of these funds. The County Judge then asked if this would affect the fee increase, as had been set previously by the Legislature for the County Clerk's Office and Steve Austin responded that this new fee was separate and apart from the County Clerk's Fund and it was based on cases filed and not on documents filed. After further discussion, a motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to appropriate \$19,700.00 which is the estimated revenue for County Records Management and Preservation Fund and place it under another account so we could possibly expend some of it or all of it, during the year 1993.

MOTION CARRIED.
SEE "EXHIBIT H"

2/C

Steve Austin informed the Court that \$35,400.00 was being estimated from the Courthouse Security Fund, for the period from September 1 through December 31, 1993 and it needed to be appropriated in a new fund, Fund #107. A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to appropriate \$35,400.00 as revenues for Courthouse Security under Senate Bill 243.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 3. CONSIDERATION AND APPROVAL OF CONTRACT WITH UTMB GALVESTON FOR A 1 YR. PERIOD TO PROVIDE HEALTH CARE ASSISTANCE FOR INDIGENTS

Rudy de la Vina stated that his request was simply to renew an existing contract with UTMB Galveston for the provision of health care assistance for County indigent residents. He explained that the contract was for a one year period, beginning September 1 and ending on August 31, 1994 and it included a fee schedule. He added that this would also be credited by the State, under the Indigent Health Care Program. After further explanation, a motion was made by Commissioner Sanchez, seconded by Commissioner Rosel, to approve the contract with UTMB Galveston, for a one year period, to provide health care assistance for our County's indigent residents.

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MOTION CARRIED.
SEE "EXHIBIT I"

A discussion then ensued regarding some of the issues with regards to the Indigent Health Care Program.

ITEM 4. BUDGET AMENDMENTS:
A. 332nd District Court

A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve a budget amendment of \$1,150.00, for the 332nd District Court, as presented.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 5. DECLARE EQUIPMENT SURPLUS:
A. 1988 Dodge Maxi-Wagon - Library System

A motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to authorize the declaration of a 1988 Dodge Maxi-wagon surplus and authorize our Purchasing Agent to dispose of said equipment.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 6. WIC:
A. Request to Advertise:
1. Rental Space - Donna and Elsa

Norma Longoria came before the Court to request permission to advertise for rental space in the areas of Donna and Elsa. Her reason for this was that because they were providing new services, their present sites were not adequate for this. A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to authorize the advertising for bids for rental space in Donna and Elsa; bid opening September 15th, bid award September 21st.

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 7. SHERIFF DEPARTMENT:
A. Request to transfer Insurance Reimbursement Checks to Account #3-010-421-100.30 (Vehicle Repair/Parts)
B. Budget Appropriations:
1. Acct. #3-104-421-100.95 - \$2,415.00

7/A

Judge Ruiz explained that the Sheriff'd Department was requesting that these monies be transferred into their account. Commissioner Rosel then had some questions on whether the vehicles, for which they had received these monies, had been repaired and if they were operable. Steve Austin then responded that the request was for the appropriation of \$4,971.84 into the vehicle parts and supplies and he was not sure if these vehicles had been repaired. Commissioner Rosel then

stated that his concern was that he did not want to see these vehicles being brought at a later date for declaration of surplus. After further discussion, a motion was made by Commissioner Rosel, seconded by Commissioner Sanchez, to TABLE Item 7/A, which is the reimbursed checks to the Sheriff's Department.

MOTION CARRIED.
SEE "EXHIBIT M"

7/B

A motion was made by Commissioner Rosel, seconded by Commissioner Sanchez, to appropriate two funds totaling \$2,415.00, into the Sheriff's Investigation Fund.

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 8. REQUEST FOR A VARIANCE TO THE HIDALGO COUNTY SUBDIVISION RULES AND REGULATIONS - Mr. & Mrs. Joseph L. Acosta

J.D. Salinas came before the Court and presented this matter to the Commissioners' Court for their consideration. He stated that this proposed subdivision had nater, but that they were in need of the fifty foot frontage fronting a public road and also the property was not paid-off yet. Joseph Acosta then proceeded to state their need for a variance and Judge Ruiz brought up the issue of the purchasing contract, with his main concern being whether or not the original owner had given permission to build on this land. A discussion then ensued with Travis Heister, County Legal Counsel, stating that they could not legally make a subdivision on this land because the land is still being paid for. The County Judge then advised them to first finish paying on this land or bring the developer in to request the variance himself. Commissioner Sanchez then stated that he would like to meet with them to either try to resolve this issue or try to explain, in detail, what is needed to do this properly.

NO ACTION.
SEE "EXHIBIT N"

ITEM 9. NOE CAVAZOS:

- A. Approval of Rural Fire Call Contracts
- B. Approval of resolution endorsing the application Colonia Wastewater Treatment Assistance Program (CETAP) Innovative and Alternative Technology:
 - 1. La Joya
 - 2. Hidalgo County

9/A

Noe Cavazos came before the Court and informed them that this was basically the same contract that had been proposed at a Workshop some time back. He stated that there were minor changes, in terms to the language and definitions for emergency services to define the fire-fighting and also to put the "recovering drowning victims" as a category, by itself. He continued by stating that the payment schedule had also been changed, where by Commissioners' Court had decided to pay \$450.00 per call, with an increase of \$25.00 per call, each year thereafter, until the year 1995. The County Judge then went down the list of cities, who would be provided with a contract and recommended that the City of La Villa be deleted, due to there being no fire department in place. Also he stated that Monte Alto and Lynn/San Manuel were non-profit organizations and not cities. Commissioner San-

chez then stated that he had been presented with a copy of the previous contract where it stated that it was supposed to expire in 1995 and Mr. Cavazos stated that the \$25.00 increment was the only stipulation that was in effect until 1995, the contract itself had expired earlier this year and had been negotiated on a month to month basis. After further discussion, a motion was made by Commissioner Rosel, seconded by Commissioner Camarillo, to accept the rural fire call contracts, as agreed mutually, by all the parties involved.

MOTION CARRIED.
SEE "EXHIBIT O"

9/B

Noe Cavazos explained that this was for the Colonia Water Treatment Assistance Program, which is funded under the Environmental Protection Agency and administered by the Texas Water Development Board. He stated that last week the County received \$450,000.00 under the same program, but for a regional project to study 69 colonias in Hidalgo County and this was basically the same type of program. It focused on the rural colonias that are the farthest from the reach of any service providers. He continued by saying that the scope of service would be to find a way of providing wastewater services "to those remote colonias...through innovative and alternative designs that would probably be onsite". A question came up regarding similar programs under the Urban County Program, after which Noe Cavazos stated that he presently had two applications, one from the City of La Joya, which would encompass over 100 colonias and one from the County of Hidalgo, which would encompass about 24 colonias. Anthony Covacevich, Urban County Director, stated that currently he had a resolution for Michael Sullivan & Associates for Palm Lake, Seminary Estates and Chapa #3, with funding for these to include construction. Others that he had were Rancho Sanchez, RTD Environmental Corporation, for both plans and construction; Colonias DeAnda and Saenz, which were located east of Mercedes, on Business Hwy. 83, by Malcom Curry and Associates and Tom Gill Road, by Salinas and Associates. A motion was then made by Commissioner Arcaute, seconded by Commissioner Sanchez, to approve all six proposals, with hopes that we get all six funded.

MOTION CARRIED.
SEE "EXHIBIT O"

ITEM 10. PURCHASING DEPARTMENT:

A. Award Bids:

- 1. 1993 Tax Statements - Tax Office
- 2. Computer Equipment - Computer Department
- 3. Rental Space - WIC

B. Request to Advertise:

- 1. Industrial Chemicals - County Wide
- 2. Pit Run Caliche - County Wide

10/A/1

A motion was made by Commissioner Arcaute, seconded by Commissioners Rosel and Camarillo, to award low bid to Hamer Enterprises, for the purchase of the 1993 tax statements, at a bid price of \$7,539.30.

MOTION CARRIED.
SEE "EXHIBIT P"

10/A/2

A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to accept sole bid of Centauri Computer Systems, at a price of \$24,478.00.

MOTION CARRIED.
SEE "EXHIBIT P"

10/A/3

Mary Maldonado, Purchasing Agent, informed the Court that Norma Longoria, WIC Director, was requesting that the bid be awarded to S.H.E.A, for the rental in the area of La Joya. It was stated that it was a portable building with about 18 parking spaces, including those for the handicapped. Ms. Maldonado explained that the bid from Ms. Eastment, which was the low bid, only had 10 parking slots available and it needed to be renovated. The County Judge then asked if the availability of parking had been specified in the bid and the response was that it was not, so he recommended that the Court should award to the low bid. Commissioner Rosel then commented on the two recommendations and requested that the low bid should be awarded. He did suggest, however, that if the building was not ready in the thirty days, as specified, in the proposal then the Court could come back and reconsider the next bid. A motion was then made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve low bid for WIC rental space with Ms. Nellie Eastment, from La Joya; bid is for \$.75 per square foot.

MOTION CARRIED.
SEE "EXHIBIT P"

10/B/1

Mary Maldonado, Purchasing Agent, stated that she was hoping to expand this list, with the help of the Commissioners. Judge Ruiz then recommended that a list of all chemicals, used by the County be made available and brought back to this Court for consideration. He then recommended that NO ACTION be taken at this time.

NO ACTION.

10/B/2

After a brief discussion concerning what specifications would be used for this advertisement, a motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to authorize the advertising for pit-run caliche for three Precincts, excluding Precinct Three; bid opening September 15, bid award September 21.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 11. PLANNING DEPARTMENT:

A. Subdivisions:

1. Attwood Subdivision - Pct. #4
2. Canton Terrace Subdivision - Pct. #4

B. Preliminary Plat Approval:

1. El Sol Subdivision Unit III - Pct. #3
2. Italian Village Subdivision - A private one (1) Lot R.V. Park Subdivision - Pct. #4

C. Discussion and approval of Subdivision Regulations Section 9.3.4

11/A/1

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the plat of Attwood Subdivision, which is located approximately 648 feet west from 29th Street on the north side of Mile 6 1/2 North Road, City of McAllen, Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT Q"

11/A/2

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the plat of Canton Terrace Subdivision, which is located approximately 476 feet west of Raul Longoria on the south side of Canton Road, City of Edinburg, Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT Q"

11/B/1

After a lengthy discussion regarding the drainage of this subdivision and the effect it would have on its sister subdivisions, with comments from Judge Ruiz, Commissioner Rosel and the developer, Commissioner Rosel recommended that it be tabled at this time but that the developer be given a timetable of when the issue of the proposed ditch would be addressed. 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, which is located on the 4 Mile Line and Trosper Road, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT Q"

11/B/2

A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to give preliminary approval to the plat of Italian Village Subdivision, which is located approximately four miles north from Monte Cristo Road on the west side of U.S. Hwy. 281, in the rural area of the County, in Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT Q"

11/C

Travis Heister, County Legal Counsel, came before the Court with a proposed change to the subdivision regulations, under Section 9.3.4. He stated that basically this was the portion of the regulations that required driveway culverts and required subdividers to place money in escrow, to pay for these culverts. The problem was that the money would be paid and put into separate accounts, for each subdivision. The proposed change was to allow the Planning Department to receive the money and place it into a special fund to pay for the culverts of the whole subdivision. In this way the County would have the money to place to put in the culverts at their convenience or when the houses would be built. A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to authorize a public hearing for the proposed amendment of the subdivision regulations.

MOTION CARRIED.

ITEM 12. URBAN COUNTY:

- A. City of Alamo - Construction Contract for Neighborhood Facility Community Center Improvements
- B. City of Alton - Professional Services Contract (Engineering) for Drainage Improvements for Yr. 6
- C. City of Alton - Professional Services Contract (Engineering) for Parking Facilities - Parks and Recreation Yr. 6
- D. Pct. #4 - Interlocal Agreement between the County of Hidalgo and McAllen ISD
- E. Approval of Resolution and Submission of 4 Applications for Funding under the Colonia's Wastewater Assistance Program
- F. Approval of Change Order #1 for Country Village Subdivision Contract - Colonia 1 - A Fund

- G. Request to Advertise on Tom Gill Subdivision Construction Phase
- H. Approval to Submit a Proposed Contract Budget Modification (TCDP Contract #701135)
- I. Approval of bills

12/A

A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to approve a low quotation of \$2,273.54, from Sonshine Carpet Sales.

MOTION CARRIED.
SEE "EXHIBIT R"

12/B

A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to award a professional service contract to L.L. Rodriguez & Associates, Inc., engineering services, for the City of Alton, County of Hidalgo; contract is for \$7,257.50.

MOTION CARRIED.
SEE "EXHIBIT R"

12/C

A motion was made by Commissioner Rosel, seconded by Commissioners Camarillo and Sanchez, to award a contract to L.L. Rodriguez & Associates, for parking at the recreation facility, an engineering contract for \$6,521.88.

MOTION CARRIED.
SEE "EXHIBIT R"

12/D

A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to enter into a \$50,000.00 interlocal agreement with McAllen ISD, for the construction of a pavilion at the Sam Houston Elementary School.

MOTION CARRIED.
SEE "EXHIBIT R"

12/E

THIS ITEM WAS TAKEN CARE OF IN ITEM 9/P
"SEE "EXHIBIT O"

12/F

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve a change order increasing the contract with D & V Construction, by \$564.00.

MOTION CARRIED.
SEE "EXHIBIT R"

12/G

A motion was made by Commissioner Rosel, seconded by Commissioner Camarillo, to authorize the advertisings for bids for construction of water lines within Tom Gill Subdivision; bid opening September 15, bid award September 21.

MOTION CARRIED.
SEE "EXHIBIT R"

12/H

A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to approve an internal line item transfer, under contract #701135, moving 5% of the funds from the water facilities budget to the sewer facility budget.

MOTION CARRIED.
SEE "EXHIBIT R"

12/I

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the 1991 Urban County bills #5050 thru #5053 totaling \$80,109.17; the 1992 Urban County bills #5054 thru #5057 totaling \$29,598.42; the HOME Program bills #5058 and #5059 totaling \$4,738.96 and the Colonia I-B Program bill #5060 in the amount of \$41,014.44. The total Urban County memorandum to be approved is in the amount of \$155,460.99.

MOTION CARRIED.
SEE "EXHIBIT R"

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. Discuss litigation - Edinburg CISD vs Johnnie Hahs, et al (Monte Cristo Gulf Course)

The County Judge and Commissioner went into Executive Session accompanied by Mr. Juan Pena and Kent Rider.

NO ACTION.

ITEM 13. OPEN SESSION:

A. Litigation - Edinburg CISD vs Johnnie Hahs, et al (Monte Cristo Gulf Course)

Judge Ruiz briefly stated that they had received a briefing on the Monte Cristo and Country Club Unit No. 1 Gulf Course and its litigation. The Commissioners' Court requested that legal counsel continue the efforts to negotiate some settlement between all the parties involved so that at some point it could be sold as a turnkey project, which would include easements, clubhouse, R.V parks and golf course.

NO ACTION.
SEE "EXHIBIT S"

ADD. 2. ORDER AUTHORIZING THE ISSUANCE OF HIDALGO COUNTY TEXAS, CERTIFICATES OF OBLIGATION SERIES 1993

Judge Ruiz explained that these would be for the temporary facility at the Jail and for the purchase of vehicles for the Sheriff's Department, in the amount of \$150,000.00. These Certificates of Obligation would be paid off in two payments of \$75,000.00, with one payment in 1994 and the other in 1995. A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to approve an order authorizing the issuance of these Certificates of Obligation, for those two purposes, in the amount of \$150,000.00.

MOTION CARRIED.

There being no further business to come before the Court, a motion was made by Commissioner Camarillo, 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

Leonard Camarillo _____
County Commissioner, Precinct #4

Dated this 24TH day of AUGUST, 1994

ATTEST:

WILLIAM R. LEO, County Clerk
Hidalgo County, Texas



By: Jennifer Castillo
Jennifer Castillo, Deputy