

THE STATE OF TEXAS :

7-0152-457

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 21ST day of
SEPTEMBER, 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:

CONSENT AGENDA
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ITEM 1. APPROVAL OF MINUTES - August 17, 1993

ITEM 2. APPROVAL OF BILLS - County Auditor
General Fund - #92507 - #92711 - \$1,474,879.52
Special Revenue Fund - #90622 - #90973 - \$ 855,056.85
Capital Projects Fund - # 4646 - # 4677 - \$ 8,000.00
Trust and Agency Fund - # 3677 - \$ 360,300.23
Enterprise Fund - # 1599 - # 1607 - \$ 7,651.44
(SEE "EXHIBIT A")

ITEM 3. REQUEST FOR VOTING MACHINES:
A. City of La Joya - 2 Machines
B. McAllen Memorial (Student Council) - 6 Machines
C. City of Weslaco - 14 Machines
D. City of Alton - 3 Machines
(SEE "EXHIBIT B")

ITEM 4. APPROVAL OF MONTHLY FEE REPORTS:
A. District Clerk - \$93,412.60 - August
B. Justice of the Peace:
1. Adan Caballero - \$4,696.50 - August
2. Jesus E. Morales - \$6,089.50 - August
3. Arnaldo Corpus - \$8,352.75 - August
C. Constables:
1. Horacio Aguirre - \$.00 - August
2. Gilbert Alaniz - \$155.00 - August
3. Luis Zamora - \$850.00 - August
4. Rumaldo Cerda - \$.00 - August
5. Eduardo Bazan - \$ 70.00 - August
(SEE "EXHIBIT C")

ITEM 5. HUMAN SERVICES - Rudy De La Vina:
A. Consider extending current administrative services Contract
with TPA Ry-Ron
(SEE "EXHIBIT D")

ITEM 6. INTERNAL LINE ITEM TRANSFERS:
A. County Clerk - \$2,000.00
B. Juvenile Probation Department (General Fund) - \$565.00
C. Juvenile Probation Department (State Funds) - \$3,000.00,
\$3,751.00 & \$197.01

- D. Sheriff Department - \$1,000.00
- E. WIC - \$400.00, \$3,654.33 & \$8,800.00
- F. Administration (County Wide) - \$500.00
- G. Election - \$100.00
- H. Commissioners (General Fund) - \$1,251.00
- I. County Judge (Gen. Fund) - \$1,263.00
- J. Enterprise Fund - \$516.72

(SEE "EXHIBIT E")

ITEM 7. PLANNING DEPARTMENT:

A. Subdivisions:

- 1. Psalm 121 Subdivision - Pct. #1
- 2. Little Golden Play School Subd. - Pct. #2
- 3. The Woodlands Estates Subd. - Pct. #2
- 4. Lot 2A, Woodlands Subdivision - Pct. #2
- 5. Spring Gate Estates Subd. - Pct. #3
- 6. E.C.I.S.D. Subdivision Unit No. 2 - Pct. #4
- 7. E.C.I.S.D. Subdivision Unit No. 3 - Pct. #4

(SEE "EXHIBIT F")

ITEM 8. PERMITS:

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

8/A

In Precinct One, Southwestern Bell is requesting a permit to bury a cable along Mile 8 North, beginning at Mile 1 1/2 East and going west to Mile 1 East, then south on Mile 1 East approximately 4321 feet, in Precinct One.

(SEE "EXHIBIT G")

8/B

In Precinct Two, North Alamo Water Supply is requesting a permit to lay a six inch line starting 390 feet west of Tower Road, then south 1200 feet on the east side of Amigo Avenue in Tower Manor Estates.

In Precinct Four, North Alamo Water Supply is requesting a permit to lay a six inch water line to cross Kenyon Road south of Ramseyer, for Vista Bonita Subdivision.

(SEE "EXHIBIT G")

Judge Ruiz began by informing the Court that there were two changes to the Consent Agenda. Those changes being in Item 6, under the internal line item transfers and being as follows: under 6/C deleting \$197.01 and under 6/E, deleting \$3,654.33 and \$8,800.00. The County Judge then asked the Commissioners if they had any questions and/or comments on the remainder of the agenda, there being none, a motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to approve the Consent Agenda, by deleting under the item 6/C, deleting under State Funds Juvenile Probation, the internal line item transfer of \$197.01 and two requests under 6/E, WIC Program, which are \$3,654.33 and \$8,800.00.

MOTION CARRIED.

SEE "EXHIBITS A-G"

REGULAR AGENDA

- ITEM 1. APPROVAL OF TAX REFUND:
 - A. United Savings Association - \$648.61

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the tax refund to United Savings Association in the amount of \$648.61.

MOTION CARRIED.
SEE "EXHIBIT H"

- ITEM 2. AUTHORIZATION & APPROVAL OF DESIGNATION OF REPRESENTATIVE AND ALTERNATES TO SERVE ON THE AMIGOS DEL VALLE, INC. BOARD OF DIRECTORS

Judge Ruiz explained that he was presently serving as an alternate to this board, and they needed to appoint new representatives. Commissioner Rosel volunteered to serve on this Board, as a representative with Commissioner Sanchez, as the alternate. A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to designate Commissioner Juan Rosel, as representative, to the Amigos Del Valle Board and as alternate Commissioner Samuel Sanchez.

MOTION CARRIED.
SEE "EXHIBIT I"

- ITEM 3. REQUEST FOR AUDIENCE:
 - A. Discussion by the Delta Area Federal Detention Committee

The County Judge informed the Commissioners' Court that there was a request for audience by a Delta Area group of men and women, who were active and interested in the possibility of forming a non-for-profit corporation, to pursue in attracting a federal prison to their area for economic development purposes. He continued by saying that the U.S. Marshall's Office had shown interest, in past years, with regards to acquiring a facility in the South Texas region. After further briefing, he introduced Justice of the Peace Esperidion Jackson, who came forward requesting that in order to be able to pursue this endeavor, they would have to be named as a non-profit organization by this Commissioners' Court. He stated that the outlook was very promising and if granted the U.S. Marshal would commit \$5 million and the private sector would commit \$5.5 million, for this facility. Judge Jackson added that no monies were needed from the County budget and any additional costs would be incurred by the City of Edcouch. Mr. Lucio Dugue then added that the Cities of Elsa, Edcouch, La Villa, Monte Alto and the surrounding areas had come together and agreed on this project. Judge Ruiz explained to the Court that the Facilities Corporation would have to be incorporated by the County of Hidalgo, with a document in place stating that the Commissioners' Court appointed a board of directors, as well as approving its by-laws. He continued by saying that this document would also delineate responsibilities and liabilities. A discussion then ensued with regards to why this board would have to be declared non-profit with Commissioner Camarillo requesting that the County not be involved in this endeavor. His feeling was that he did not want the County of Hidalgo being labeled as "the dumping ground for prisoners", what with the new County jail in the process and the State prison, as well. Judge Jackson then explained that this was not going to be a permanent housing facility, but only a temporary facility for federal prisoners who

would be awaiting trial. Commissioner Sanchez also questioned the County's involvement in this, but unlike Commissioner Camarillo, he was in support of the project and asked if there was any other way that this could be done without the County's assistance. The County Judge responded that it could be done, but that it would be a more expensive route to take; he then went into a brief explanation of how this could come about. After further discussion, it was recommended by this Commissioners' Court that the proposed Committee present this Court with a rough draft of incorporation papers, including the by-laws, and if both parties were in agreement with this, then it could be acted on by this Court. Mr. Duque then addressed Commissioner Camarillo's concern by saying that if there were other industries out there who were interested in breaking ground in the Delta Area, the residents there would be more than happy to go after these endeavors, but as it was these were the only opportunities that were being offered to this area. After further discussion the Commissioners requested that this be brought up in Workshop so as to better discuss this and Judge Jackson requested if the Workshop could possibly be held sometime this week, so that Commissioners' Court could take action on this the following week.

NO ACTION.
SEE "EXHIBIT J"

ITEM 4. SHERIFF'S DEPARTMENT:

- A. Approval of Sheriff & Constable Fee Schedule
- B. Discussion and possible action on duties & responsibilities of Fire Marshall

4/A

Bob Davis, Chief Deputy Sheriff, came before the Court requesting approval of the Sheriff and Constable fee schedule. The only change to the schedule was a request to charge a fee after two attempts to serve the paperwork. A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to set the fee schedule for the Sheriff and Constable, as set, with the only change being that after two attempts our Department is entitled to collect the full amount designated for the type of service of process.

MOTION CARRIED.
SEE "EXHIBIT K"

4/B

Bob Davis informed the Commissioners' Court that as of January 1st, 1993, the Sheriff had assumed the duties of the Fire Marshall and they had some deputies that had been certified in arson investigation. The problem was, with regards to building inspections, that require a fire code inspection. If the County decided to pursue this endeavor then one of the investigators would have to get certified in order to be able to do this. A discussion then ensued, with comments from the Chief Planner, during which it was decided that two individuals should be certified, maybe one from the Sheriff's Department and one from the Planning Department. After further discussion, the County Judge then recommended that they look into this and see about sending two people to the school.

NO ACTION.
SEE "EXHIBIT K"

ITEM 5. BUDGET AMENDMENTS:

- A. 139th District Court
- B. 92nd District Court

- C. 332nd District Court
- D. 275th District Court
- E. Pauper Burial

5/A

Judge Ruiz stated that the request by the 139th District Court was for pending bills for visiting judge. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the budget amendment request by the 139th District Court in the amount of \$511.60, for visiting judges appointed by Judge Darrel Hester.

MOTION CARRIED.
SEE "EXHIBIT L"

5/B

After a brief discussion, a motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve budget amendments for the 92nd District Court in the amount of \$312.48 and for the 332nd District Court in the amount of \$56.96.

MOTION CARRIED.
SEE "EXHIBIT L"

5/C

Judge Ruiz then explained that the request from the 275th District Court was for a budget amendment for future visiting judge costs. The County Judge stated that the stand that this Commissioners' Court had taken was to pay visiting judge bills incurred not those proposed to be incurred and therefore requested that NO ACTION be taken on this item.

NO ACTION.
SEE "EXHIBIT L"

5/D

The County Judge informed the Court that the pauper burial line item had been exhausted and they had projected an amendment of \$16,000.00 to carry them through the remainder of the year. He said that the average cost of a pauper burial was approximately \$600.00. A discussion then ensued, during which Commissioner Rosel stated that there should be some type of statement signed by the funeral homes performing the burials that there will be no further cost, to either the County or the people requesting these services. After further discussion, a motion was made by Commissioner Arcaute, seconded by Commissioners Rosel and Sanchez, to authorize a budget amendment in the amount of \$16,000.00 for pauper burials.

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 6. ECONOMIC DEVELOPMENT:

- A. Interlocal Agreement between City of Edinburg & Hidalgo County for the use of land - Recycling Center
- B. Proclamation - David Ayala, U.S. Federal Immigration Judge
- C. Approval to submit Grant Application for the Integrated Community Safety Program

6/A

Judge Ruiz informed the Commissioners' Court that some time back the City of Edinburg had shown an interest in reconstructing a new recycling center and they had approached Commissioners' Court to use a portion of the land adjacent to U.S. Highway. 281, in front of the Rudy De La Vina Youth Detention Center. Mr. Elias Zuniga, from the

City of Edinburg, then approached the podium and briefed the Court on what the proposition was. He stated that they proposed to construct a steel building which would house all recyclables with a smaller building solely for lead acid batteries. Judge Ruiz inquired as to what type of agreement was being called for here and Mr. J.D. Salinas stated that he would recommend a year-to-year lease to which Mr. Zuniga stated that he would like a longer period on the lease. Travis Heister then recommended a five-year lease, with a year-to-year option and this was concurred by the County Judge. A motion was then made by Commissioner Camarillo, seconded by Commissioner Sanchez, to approve an interlocal agreement between the City of Edinburg and Hidalgo County, for the use of said space, which should be defined so that we do not have any problems with the Juvenile Detention Facility and that the lease be made optional through a five-year period.

MOTION CARRIED.
SEE "EXHIBIT M"

6/B

After Judge Ruiz read the proclamation, a motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to accept the proclamation proclaiming the 29th day of September as "David Ayala Day", who had now been placed as Immigration Judge for the Executive Office for immigration review.

MOTION CARRIED.
SEE "EXHIBIT M"

6/C

NO ACTION.
SEE "EXHIBIT M"

ITEM 7. HEALTH DEPARTMENT:

- A. Approval of Contract Amendment
- B. Approval of Inservice Training Contract
- C. Approval of Mobile Clinic Contract for paying utilities

7/A

Dr. Charles Wilson, County Health Director, explained that they had hired a nurse, in November 1992, on a part-time basis to provide in-service training. In the contract it had been emphasized that it was in-service training primarily in the areas of OSHA and EPA and the Auditor's Office had interpreted this contract very strictly and has denied payment on other in-service training that she has provided. He stated that he was at this time requesting to amend the contract to include the phrase "all in-service training" so that she can receive payment for her services. A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve a contract amendment, basically expanding the services by Janet Camry, RN, doing work for the County of Hidalgo, through its Health Department.

MOTION CARRIED.
SEE "EXHIBIT N"

7/B

NO ACTION.
SEE "EXHIBIT N"

7/C

Dr. Wilson informed the Court that this was a standard \$150.00 utility contract for the mobile clinic. The agreement would be with the Edinburg CISD, for the Hargill School. A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to approve a contractual agreement between the County of Hidalgo, through its Health

Department and the Edinburg School District, for a mobile clinic to be placed on school property, in the Hargill area; the fee is \$150.00.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 8. WIC:

- A. Request to Advertise for Bids:
 - 1. City of Hidalgo - Office Space

Norma Longoria, WIC Director, explained that this was only for a temporary lease, to house the Health Department, while their new clinic is being built in the City of Hidalgo. A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to authorize the advertising for bids for office space, within the City of Hidalgo area, for the services of the WIC, the bid will be stipulated on a month-to-month rental basis; bid opening to be October 13th, bid award October 19th.

MOTION CARRIED.
SEE "EXHIBIT O"

ITEM 9. PURCASING DEPARTMENT:

- A. Award Bids:
 - 1. Pit-run caliche - Pcts. #1, #2 & #4
 - 2. Rental Space (Donna, Elsa) - WIC

9/A/1

Mary Maldonado, Purchasing Director, reported to the Court that she had received one bid for pit-run caliche, from Valley Caliche Products, at a bid price of \$.75 per ton and the pit was in Linn, Texas. A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to award, to the sole bidder, at \$.75 per ton, for the purchase of pit-run caliche, for Precincts One, Two and Four; this is a two-year contract with Valley Caliche Products.

MOTION CARRIED.
SEE "EXHIBIT P"

9/A/2

Ms. Maldonado informed the Court that two bids had been received, for rental space, one bid each per city. For the City of Donna, the City of Donna with a bid price of \$.40 a square foot, with a total bid price of \$1,320.00 per month; for the City of Elsa, it was Mr. Felix Chavez, Jr., with a bid price of \$3.60 per square foot, with a total bid price of \$759.99 per month. Norma Longoria, WIC Director, stated that she did not want to recommend the acceptance of the bid by the City of Donna, because the bid was for the building, as is, and it did not fit the needs of the Department. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve a bid by Felix Chavez, Jr., for lease space in Elsa, and to take the bid by the City of Donna, under advisement; rental space lease is for two years, for the contract in Elsa.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 10. PCT. #1:

- A. Authorization of execute note with First National Bank for purchase of three (3) Shredder mowers
- B. Authorization to appropriate loan proceeds

10/A

Commissioner Sanchez stated that he would like to make a motion to approve a note with First National Bank, to be paid in two installments, of \$4,725.00, one due March 1st, 1994 and the other March 1st, 1995. After a second by Commissioners Arcaute and Camarillo, it carried unanimously.

MOTION CARRIED.
SEE "EXHIBIT Q"

10/B

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to appropriate \$9,450.00, under object #95 of Precinct One's Road and Bridge Fund.

MOTION CARRIED.

ITEM 11. PCT. #3:

- A. Resolution stating abandoned portion of U.S. 83 lying east of F.M. 1427 is no longer needed for use of a road

Vona Walker explained that when the Highway Department built the new divided U.S. Highway 83, at the point the old Highway 83 intersected with it, it was a Y-intersection, and that was no longer safe by Federal standards, so it was built into a T-intersection. As a result of this there is a small strip of the Old U.S. 83 that the State can no longer utilize as a road and that is why this resolution is needed. This portion of land is being reverted back to Hidalgo County to declare surplus or do as they please. A motion was made by Commissioner Rosel, seconded by Commissioner Camarillo, to approve a resolution authorizing the abandonment of a portion of U.S. 83, lying east of F.M. 1427, to no longer be used as a road; it is continuing to be public land.

MOTION CARRIED.
SEE "EXHIBIT R"

ITEM 12. PCT. #4:

- A. Internal Line Item Transfers - Adm., Road & Bridge
- B. Budget Amendment
- C. Permission to erect stop signs at the Intersections of Doolittle & Curry Rd.
- D. Consideration & possible action on budget amendment for Resource Recovery & Landfill

12/A

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the internal line item transfers, as presented, for Precinct Four, under the Road & Bridge Fund totaling \$37,500, and under Administration for \$900.00.

MOTION CARRIED.
SEE "EXHIBIT S"

12/B

NO ACTION.
SEE "EXHIBIT S"

12/C

Commissioner Camarillo explained to the Commissioners' Court that the roads of Curry, Curve and Texas all ended at Doolittle Road and he was wanting to erect stop signs only for traffic traveling west. A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to authorize three separate resolutions designating a one-way stop sign at the intersection of Doolittle with Texas, Doolittle with Curve and Doolittle with Curry; all in Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT S"

12/D

Commissioner Camarillo stated that they were running very low on the Resource Recovery Fund, and the County Judge requested that he take no action at this time, so that it can be discussed in detail at the Workshop, this afternoon.

NO ACTION.

ITEM 13. PLANNING DEPARTMENT:

- A. Subdivisions:
 - 1. Midway Subd. - Pct. #1
- B. Preliminary Plat Approval:
 - 1. Minnesota Estates Subdivision - Pct. #3
- C. Final Plat Approval:
 - 1. Las Palmas Del Valle Subd. - Pct. #1
 - 2. Sun Dance Estates Unit #2 Subd. - Pct. #3
- D. Release letter of credit:
 - 1. Hacienda Porvenir Subd. Phase I - Pct. #1
- E. Requesting Temporary Full time clerk position
- F. Set Salary
- G. Line Item Transfer

13/A

A motion was made by Commissioner Sanchez, seconded by Commissioners Rosel and Camarillo, to approve the plat of Midway Subdivision, which is located approximately 1/2 mile north of Mile 5 North on the east side of Midway Road, City of Weslaco, Precinct One.

MOTION CARRIED.
SEE "EXHIBIT T"

13/B

Emilio Garcia, Chief Planner, explained that they were requesting preliminary approval subject to the following items, as recommended by the engineer: 1) "an engineered grading plan showing proposed elevations, shall be prepared and made part of the construction drawings. The Developer must grade all the lots previous to final acceptance of the subdivision and shall be reviewed, checked and approved by Engineer Raul Garcia & Associates;" 2) "Submit as-built plans which will be reviewed checked and approved by Mr. Garcia; and" 3) "before final approval all lots located within Zona 'A', approval from the Federal Emergency Management Agency (F.E.M.A.) must be approved and need to show the elevations of the lowest ground on the lot to be at or above the 100 year flood elevation for the lots to be outside the Special Flood Hazard Area (S.F.H.A.) which also will be reviewed, checked and approved by Engineer, R.E. Garcia and Associates". A discussion ensued with regards to the the first item, as recommended by the engineer with the County Judge's argument being that why would the engineer request this information when it was already included, as part of the subdivision regulations. Mr. Raul E. Garcia then came up and stated his reasoning behind the request, with additional comments by the engineer for the developer. A motion was made by Commissioner Rosel, seconded

(09/21/93)

by Commissioner Camarillo, to give preliminary plat approval to the plat of Minnesota Estates Subdivision, which is located on the north-east corner of Minnesota Road and Mile 5 Road, City of Mission, Precinct Three, subject to the stipulated written conditions.

MOTION CARRIED.
SEE "EXHIBIT T"

13/C/1

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to give final plat approval to the plat of Las Palmas Del Valle Subdivision, which is located approximately 1000 feet north of Expressway 83 on the east side of Mile 1 East, City of Merced- es, Precinct One.

MOTION CARRIED.
SEE "EXHIBIT T"

13/C/2

A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to give final plat approval to the plat of Sundance Estates Unit #2 Subdivision, which is located approximately 289 feet north of the 3 Mile Line on the west side of Glasscock Road, City of Palmhurst, Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT T"

13/D

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to authorize the release of a letter of credit in the amount of \$36,242.00, for Hacienda Porvenir Subdivision Phase I, which is located on the northwest corner of Mile 17 1/2 North and State Highway 88, City of Elsa, Precinct One.

MOTION CARRIED.
SEE "EXHIBIT T"

13/E

Emilio Garcia, Chief Planner, informed the Court that he needed a temporary slot, for the months of October, November and December, 1993, due to the reporting that needed to be done to the State. He stated that the monies for this position would be coming from within his budget and the salary would be at \$4.25 per hour. A motion was then made by Commissioner Camarillo, seconded by Commissioners Sanchez and Arcaute, to approve a temporary full-time clerical position for the Planning Department, through December 31st, 1993, setting the rate of salary at \$4.25 per hour.

MOTION CARRIED.

13/F

A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to approve a line item transfer into the line item for extra help of \$2,255.00, within the Planning Department.

MOTION CARRIED.
SEE "EXHIBIT T"

ITEM 14. URBAN COUNTY:

- A. City of La Joya - Rescind previous Construction Contract to E. Garcia Construction Co.
- B. City of La Joya - Construction Contract Award to Solis &

- Chapa Construction Co.
- C. Pct. #1 - PFI Street Improvements Construction Contract
 - D. Pct. #1 - PFI Street Improvements Year 4 Professional Engineering Services Contract termination
 - E. City of Alamo - Construction Contract Award to D & V Construction Co.
 - F. City of Weslaco - Professional Services Contract (Engineering)
 - G. City of Weslaco - Professional Services Contract (Engineering)
 - H. HOME - 1st time Home Buyer Contract Agreements & Letter of Commitment to Mortgage Company
 - I. City of Alton - Year 4 PFI Sidewalk Improvements Professional Engineer Contract Termination
 - J. Award Bid on Tom Gill Rd.
 - K. Approval of Bills

14/A

Anthony Covacevich, Urban County Director, came before the Court stating that the City of La Joya was requesting permission to rescind a contract with E. Garcia Construction. The amount of the contract was for \$9,878.00 and this was for architectural barrier removal project at the City Hall. A motion was made by Commissioner Rosel, seconded by Commissioner Camarillo, to rescind the previous action awarding contract to E. Garcia Construction Company, taken in Commissioners' Court on April 27, 1993.

MOTION CARRIED.
SEE "EXHIBIT U"

14/B

A motion was made by Commissioner Rosel, seconded by Commissioner Sanchez, to award bid to Solis & Chapa Construcion Company as the low bidder for the removal of architectural barriers, the County of Hidalgo, City of La Joya.

MOTION CARRIED.
SEE "EXHIBIT U"

14/C

Mr. Covacevich stated that the Precinct One Commissioner had requested the termination of a contract with Mission Paving, of which 28% of the work was conducted. Commissioner Sanchez explained that this was a project that had been agreed to in Year 4, and it was his understanding that the projects would not be completed with the amount budgeted. He was at this time requesting that the contract be terminated and that he be allowed to reappropriate the remaining funds. A discussion then ensued regarding what would happen to the monies now, with the County Judge's argument being if the roads that these monies had been designated for, were ever going to be completed. After further discussion, Judge Ruiz stated that he would accept a motion to rescind the contract with Mission Paving, by closing it out by change order, finalizing the contract of \$66,381.05, with the stipulation that these funds go to the streets that have already approved by this Commissioners' Court. Commissioner Sanchez then decided not to take any action on this matter at this time.

NO ACTION.
SEE "EXHIBIT U"

14/D

NO ACTION.
SEE "EXHIBIT U"

14/E

The City of Alamo was asking for a construction contract award to D & V Construction, for the installation of a ten-inch pipeline

in connection to the water treatment plant and new water storage tank. A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to award low bid to D & V Construction Company, for waterline improvements; the contract goes to low bidder.

MOTION CARRIED.
SEE "EXHIBIT U"

14/F

The City of Weslaco was asking for a professional services contract approval with Sigler, Winston & Associates, for \$2,300.00 for sidewalk project. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve a professional services contract between Sigler, Winston & Associates, the County of Hidalgo and the City of Weslaco; contract amount is estimated at \$2,300.00.

MOTION CARRIED.
SEE "EXHIBIT U"

14/G

The City of Weslaco was also asking for a professional services contract with Sigler Winston, Greenwood & Associates, for the fire hydrant replacement and placement project, for \$3,800.00. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, for a second professional service contract between Sigler, Winston & Associates, the County of Hidalgo, and the City of Weslaco; amount of the contract is \$3,800.00.

MOTION CARRIED.
SEE "EXHIBIT U"

14/H

Anthony Covacevich informed the Court that the exhibit presented listed the names of twelve families that had qualified for the First Time Homebuyers Program, under the HOME Program and approval today would include a contract approval, with these twelve people and also issuing letters of commitment to the mortgage companies, listed as well. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the grant to each individual family member of \$5,000.00 and authorize an issuance of letter of commitment for those \$5,000.00, to Compass Mortgage, Farmer Home Administration and Elsa State Bank.

MOTION CARRIED.
SEE "EXHIBIT U"

14/I

The City of Alton was requesting permission to terminate a professional services contract with Salinas & Associates, the original contract amount was \$4,500.00, this was for a sidewalk project. Mr. Covacevich stated that both parties had agreed to the termination. A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve a termination of a contract between the County of Hidalgo, the City of Alton and Salinas & Associates, Inc.; the estimated contract was \$4,500.00.

MOTION CARRIED.
SEE "EXHIBIT U"

14/J

Mr. Covacevich stated that they were requesting permission to award the bid on the Tom Gill Project. He explained that there were six bidders, with the low bidder being A. V. Welding and Leasing Company, for \$137,619.15 and this would be for an eight inch water distribution main trunkline and booster pump station. A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to award bid to A.V. Welding Company, to do an eight inch water line, with booster

station; contract is with the County of Hidalgo; bid amount is the low bid of \$137,619.15, payment and performance bonds and bid bonds have been met.

MOTION CARRIED.
SEE "EXHIBIT U"

14/K

A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to approve the 1991 Urban County bills #5137 thru #5143 totaling \$96,218.31; the 1992 Urban County bills #5144 thru #5148 totaling \$83,251.55; the 1993 Urban County bill #5149 in the amount of \$4,316.58; the Colonia 1-B Program bill #5150 in the amount of \$27,931.50; the HOME Program bills #5151 thru #5159 totaling \$12,433.74. The total Urban County memorandum to be approved is \$224,151.68.

MOTION CARRIED.
SEE "EXHIBIT U"

ITEM 15. OFFICE OF EMPLOYMENT & TRAINING:

A. Action Items:

1. Concur Conditional Funding Recommendation - CAST PY 93-94 Title IIC Transition & 8% Education Coordination Grant Applications
2. Concur Conditional Funding recommendation regarding the use of PY 93-94 Title IIC Transition & 8% Education Coordination Funds

15/A/1

Carol West, OET Executive Director, came before the Court requesting concurrence of the conditional funding recommendations, by the PIC Board, for the Community Advocacy of South Texas (CAST) Title II-C and 8% grant applications. She explained that the staff had been asked by the PIC to meet with CAST to try to meet some of these requirements. The County Judge then asked what their application was lacking and Ms. West responded that they were still trying to put together a financial statement, that was needed, but the financial statement that was received had some items crossed-out and corrected and some explanations were needed on the language, as well. She continued that she had just spoken with Mr. Frank Briones, who was in charge of the negotiations, and he had stated that he would work to get everything cleared up by the time the PIC Board met. The County Judge then requested a detailed list of what was lacking from the CAST application, such as questionable programs, fiscal issues, etc., and to make them a part of the Commissioners' Court record. Ms West then stated that she would supply the Court with a listing that was presented at the PIC Board meeting, as well as "the statement from the last negotiation session that was taken on some of the things that are still lacking". Judge Ruiz stated that he wanted to make sure that those conditions were the ones that had been conditionally approved by the PIC Board. He then verified with her that by conditional approval, she would not release any funds until those conditions were met and she stated that that was correct. A motion was then made by Commissioner Arcaute, seconded by Commissioner Sanchez, to accept the recommendation of the Executive Director, to concur with conditional funding recommendations.

MOTION CARRIED.
SEE "EXHIBIT V"

15/A/2

Ms. West informed the Court that the Private Industry Council had considered the rejection, by the Commissioners' Court, of the in-house proposal, and had discussed alternate methods for the expending of those funds. The PIC recommended to reissue a request for

proposals for the available \$376,398.00 with the exception of the pending contract. The proposed programs would be to fund English as a second language, adult basic education and GED program activities, under the 8%. Under the II-C transition program, they considered an increase in the II-C budget along with an increase in participants served. To accomplish this they were recommending the transferring of 10% of the Title II-B Summer Youth Program funds, to Title II-C, to realign the budget to meet in-school-out-of-school criteria and to increase the number of work-experience slots from 289 to 442. It would also include a tutoring/mentoring program and eliminate post-secondary training, with the exception of the pending contract and additional funds from Title II-B of \$159,559.00 and this would increase the original budget allocation, as well as the number of participants. The final request was to issue a request for proposals for the unawarded available funds under II-C and 8% program. She stated that in this way it would also allow for the school districts to compete for some of the funds.

A motion was then made by Commissioner Rosel, seconded by Commissioner Sanchez, to authorize the advertising for RFPs for the 8% Education Coordinating Grants.

MOTION CARRIED.
SEE "EXHIBIT V"

After a brief discussion regarding the transfer of 10% of the monies from the Title II-B and the balance between the in-school and out-of-school criteria, a motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to transfer 10% of the Title II-B funds in the Summer Youth totaling \$159,669.00 to Title II-C, for the use of in-school-out-of-school; the total budget will be \$845,303.00 the mix would be from 289 slots to 442 slots.

MOTION CARRIED.
SEE "EXHIBIT V"

Judge Ruiz then stated that he had met with a program from the Edinburg High School and they had been allotted eighteen (18) work-experience slots and they had questions on how the formula had been established for that and that the number of slots were not sufficient. They felt that a commitment had previously been made for approximately 20 slots. He was requesting that she try to assist in taking care of this matter. Ms. West then stated that on the day of the OETs Open House she had sent out invitations, to the schools to try to help them out with this and supposedly Edinburg had chosen not to come. After further discussion, she said that she would try to work something out with them.

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.

After it was established that not all the items under the OET had been voted on, a motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to rescind the order to adjourned.

MOTION CARRIED.

Ms. West stated that the total 10% allocation to be budgeted would be \$541,250.00. A discussion then ensued on the proposed increase of \$113,662.00 under the needs based payment. A motion was then made by Commissioner Rosel, seconded by Commissioner Arcaute, to clarify the motion, under 15/A/2, to amend the budget by a 10% roll-over of item II-B, which is an amount of \$541,250.00, of which \$113,662.00 will go into needs based payments; \$159,669.00 will go into in-school work-experiencc; \$159,669.00 will go into tutoring and mentoring; the in-school work experience is not a bid item, the tutoring and mentoring is an RFP request; and authorize the advertising for bids for the tutoring and mentoring under the RFP process.

MOTION CARRIED.
SEE "EXHIBIT V"

There being no further business to come before the Court, a motion was made by Commissioner Sanchez, 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. LINE ITEM TRANSFER

A motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to transfer \$6,897.76, from drain-ditch and hauling to workermens' comp and food for human consumption.

MOTION CARRIED.
SEE "EXHIBIT W"

There being no further business to come before the Drainage District, a motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, 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 21ST day of SEPTEMBER, 1993.

ATTEST:

WILLIAM R. LEO, County Clerk
Hidalgo County, Texas



By: Jennifer Castillo
Jennifer Castillo, Deputy