

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

054-183

BE IT REMEMBERED that on the 2ND day of
NOVEMBER, 1993, after due notice having been given, there was
begun and holden, a SPECIAL MEETING of the Commissioners' Court
and the Drainage District, in the Commissioners' Courtroom of
the Administratior 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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NOVEMBER 2, 1993

The Honorable J. Edgar Ruiz, County Judge, called the Commissioners' Court meeting to order, whereupon the following proceedings were had, to-wit:

CONSENT AGENDA

ITEM 1. APPROVAL OF MINUTES - October 11, 1993
October 19, 1993
October 26, 1993

ITEM 2. APPROVAL OF BILLS - County Auditor
General Fund - #93642 - #93777 - \$872,135.18
Special Revenue Fund - #91976 - #92111 - \$703,999.32
Capital Projects Fund - # 4660 - # 4662 - \$ 37,405.00
Trust and Agency Fund - # 3754 - \$260,592.24
Enterprise Fund - # 1641 - # 1648 - \$ 6,811.34
(SEE "EXHIBIT A")

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:
A. Constables:
1. Horacio Aguirre - \$.00 - September
2. Gilbert Alaniz - \$ 2,70.00 - "
3. Luis Zamora - \$1,777.02 - "
4. Rinaldo Cerda, Jr. - \$ 345.00 - "
5. Eduardo Bazan - \$.00 - "
(SEE "EXHIBIT B")

ITEM 4. APPROVAL OF VOTING MACHINES:
A. Carmen Elementary - 02 machines
(SEE "EXHIBIT C")

ITEM 5. INTERNAL LINE ITEM TRANSFERS:
A. Sheriff Department - \$11,140.37
B. Jail - \$5,100.00
C. Adult Probation Department (State Funds) - \$520.00
D. Buildings & Grounds - \$700.00
E. Pct. #2 (Paved/Unpaved) - \$6,549.10
F. Pct. #2 (Park) - \$4,400.00
G. Pct. #2 (Administration) - \$1,676.11
H. Pct. #3 (Administration) - \$579.00
I. Pct. #3 (Paved/Unpaved) - \$19,299.77
J. Pct. #3 (Lateral Roads) - \$12,000.00
K. Enterprise Fund - Pct. #3 - \$1,300.00
L. Pct. #4 (Administration) - \$295.00
M. County Judge - \$600.00
N. J.P. Pct. #5, Pl. 1 (E. Jackson) - \$265.59
O. Juvenile Probation Department - \$17,281.00
(SEE "EXHIBIT D")

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- ITEM 6. DECLARE EQUIPMENT SURPLUS:
- A. Tax Office - various equipment
 - B. Sheriff Department - Automobiles
 - C. Juvenile Probation - various equipment
- (SEE "EXHIBIT E")

- ITEM 7. HIDALGO COUNTY JAIL COMMISSARY:
- A. Authorization to declare IBM ActionWriter Typewriter surplus & request trade-in to purchase new typewriter
- (SEE "EXHIBIT F")

- ITEM 8. PLANNING DEPARTMENT:
- A. Subdivisions:
 1. Lots 48A & 49A, Water Walk, Phase II Subd. - Pct. 2
 2. Hector Gutierrez Subdivision - Pct. 3
 3. Fabela Subdivision - Pct. 4
 4. Martin Place Subdivision - Pct. 4

8/A/1 Lots 48A & 49A, Water Walk, Phase II Subdivision is located on the northwest corner of E. Sunflower Ave. and North Cynthia Street, City of McAllen, Precinct Two.
(SEE "EXHIBIT G")

8/A/2 Hector Gutierrez Subdivision is located on the northwest corner of N. 23rd Street and Ebony Avenue, City of McAllen, Precinct Three.
(SEE "EXHIBIT G")

8/A/3 Fabela Subdivision is located approximately 110 feet west of North 35th Street on the north side of Quince Avenue, City of McAllen, Precinct Four.
(SEE "EXHIBIT G")

8/A/4 Martin Place Subdivision is located on the north of Martin Avenue and west of the Southern Pacific, City of McAllen, Precinct Four.
(SEE "EXHIBIT G")

- ITEM 9. PERMITS:
- A. North Alamo Water Supply - Pcts. #1, 2 & 3

In Precincts One and Two, North Alamo Water Supply Corporation is requesting a permit to lay a two inch water line along Mile 11 North, going 300 feet west of its intersection with F.M. 88 and also to lay a two inch water line along Tower Road, south of its intersection with Eldora Road.
(SEE "EXHIBIT H")

The County Judge asked the Commissioners if they had any questions and/or comments on the Consent Agenda, there being none, a motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, and carried unanimously, to approve the Consent Agenda, as presented.

MOTION CARRIED.
SEE "EXHIBITS A-H"

The County Judge then made some announcements concerning some Workshops to be held this week, with regards to Civil Service and the Community Service Agency's Comprehensive Energy Assistance Program. He also briefed the Commissioners on his previous trip to Austin, where he met with the Texas Water Development Board, with regards to flood control. He also met with Mr. Jack Crump, of the Jail Commission, where he was accompanied by Hector Guerra and Alton Cook, of the Facilities Corporation; and with the Department of Commerce, where he was accompanied by Melly Moroles, from the Office of Employment and Training. He also mentioned that there would be a meeting, on Wednesday, with the Department of Transportation, at the Embassy Suites, with regards to U.S. Highway 281, primarily in the area of Brooks County.

REGULAR AGENDA
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ITEM 1. TAX OFFICE:

- A. Acceptance of Refund Checks of unclaimed refunds for years 1984, 1985, 1986 and Jones & Crane
- B. Approval of Tax Refund:
 - 1. Crossland Mortgage Corp. - \$960.11
- C. Request write-off of \$449.27 due by ex-employee as an uncollectible item

1/A

Ciro Trevino, County Tax Assessor/Collector, came before the Court and stated that these were all the unclaimed refunds for the years of 1984, 1985, 1986 and from Jones & Crane. These funds, which total \$6,562.79, would be placed back in the General Fund and refunds would be paid-out at the time that they are claimed. A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to accept the refund checks; there are four checks, one each for 1984, 1985, 1986 and one in the escrow account for Jones & Crane, totaling \$6,652.79.

MOTION CARRIED.
SEE "EXHIBIT I"

1/B

A motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to accept the recommendation of Mr. Trevino, to do a refund to Crossland Mortgage Co., of \$260.11.

MOTION CARRIED.
SEE "EXHIBIT I"

1/C

Mr. Trevino informed the Court that this was due to a hot check that had been paid by a former employee. She had paid part of it back and she had said that the balance could be taken out of her retirement, but this had been a year ago. Mr. Trevino was requesting, as per the recommendations from the Auditor and the District Attorney, to write-off this amount. A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to write-off an uncollectible debt, owed by Laurie Aragon, the amount is \$449.27, and she is an ex-employee.

MOTION CARRIED.
SEE "EXHIBIT I"

(11/02/93)

- ITEM 2. HIDALGO COUNTY PROTECTIVE SERVICES BOARD:
 A. Re-appointment of two (2) Board Members
 B. Authorize additional Appointment to Board

2/A

The County Judge stated that the Protective Services Board was requesting the re-appointment of Mr. Jose Angel Borrego, Jr. and Mr. John R. Carrasco. A motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to reappoint Jose Angel Borrego, Jr. and John R. Carrasco, to the Protective Services Board.

MOTION CARRIED.
 SEE "EXHIBIT J"

2/B

Judge Ruiz then reported that the Protective Services Board was requesting recommendations for other appointees, to vacancies within this Board. He informed the Commissioners that they send their recommendations to Maria A. Cantu, at the Protective Services Board.

NO ACTION.
 SEE "EXHIBIT J"

- ITEM 3. BUDGET AMENDMENTS:
 A. District Clerk
 B. 139th District Court
 C. Pct. #4 Road & Bridge

3/A

The County Judge informed the Court that there were three budget amendment requests, one from the District Clerk's Office in the amount of \$6,400.00, for postage; one from the 139th District Court in the amount of \$104.64, for pending bills; and lastly, one from Precinct Four Road and Bridge, in the amount of \$12,000.00, which is a reimbursement for the paving of the parking lot at the Youth Village. A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the budget amendments, as presented.

MOTION CARRIED.
 SEE "EXHIBIT K"

Steve Austin then requested some clarification on the request from Precinct Four. He asked if it was a transfer from the General Fund to the Road and Bridge Precinct Four Fund and also appropriating those monies under new roads, other structures and hauling and the County Judge and Commissioner Camarillo replied that that was correct.

- ITEM 4. PCT. #4:
 A. Emergency purchase of water truck for Landfill Enterprise Fund

Commissioner Camarillo stated that under their request from the Texas Water Commission, one of the provisions was for some fire protection. He stated that their next meeting would be on November 8 and this was one of the main requirements needed for the consideration of the granting of the amendment. He continued by saying that he took it upon himself to acquire three quotations, for water trucks; these being as follows: South Texas General Truck Sales, for a 1985 Ford F700 with a 2,000 gallon tank, at \$14,500.00; Express Motor Exchange for a 1983 Ford F700 with a 2,000 gallon tank, at \$12,500.00 and Art's A & A Truck City, U.S.A., for a 1985 Ford F700 with a new 2,000 gallon tank at

\$12,750.00. He was requesting that this Court consider the emergency purchase of the offer from Art's A & A Truck City, U.S.A. due to it having a new tank, a spray bar and being considerably newer than the lowest quote. A discussion then ensued regarding the need for this vehicle and the reason for not going through the bidding process. The County Judge and Commissioner Camarillo brought up the upcoming hearing for the permitting process and the recent fires at the landfill. Steve Crain, the County Legal Counsel, then stated that it was up to the Commissioners' Court to determine if the need for this purchase was indeed an emergency. Commissioner Rosel then stated that he felt uncomfortable with the term "emergency" and the County Judge stated that all they had now, at the landfill, was a two inch water line, and due to the compost at the landfill, there was a danger of fire, and Commissioner Arcaute added that due to the plastic content in the compost, it was also toxic. The addition of a water truck would help in containing this type of danger more quickly. Steve Austin then added that as per State law, effective September 1, 1993, the County Purchasing Act limits were raised from \$10,000.00 to \$15,000.00 and this being a purchase of less than \$15,000.00, if Commissioners' Court believed that if the quotations were acceptable then the purchase could be made without any exemption. The County Judge then made it very clear that that may be what the State Law states, but the Purchasing Policy that was approved by this Commissioners' Court had set a limit of \$10,000.00 and this was the policy that they should go by. A motion was then made by Commissioner Camarillo, seconded by Commissioner Arcaute, to accept the quote from Art's A & A Truck City, U.S.A. for the purchase of a 1985 F700 Ford, for the amount of \$12,750.00.

MOTION CARRIED.
SEE "EXHIBIT L"

- ITEM 5. PCT. #1:
- A. Authorization to transfer to Road & Bridge Pct. 1 Acct. #36 all funds in retired debt service account in Road Districts 2, 7, 10 & 11
 - B. All unappropriated fund balances in all completed capital outlay projects in Road Districts 2, 7, 10 & 11

5/A

Commissioner Sanchez was requesting the transfer of Road District funds from the #2, #7, #10 and #11, these last two having been consolidated into #16, into Precinct One's Road and Bridge Account. The County Judge then asked the County Auditor if he had any of those figures and Mr. Austin replied that he had approximate figures, those being: in District #2 - \$23,339.08, in District #7 - \$21,829.16, in District #10 - \$1,128.82 and in District #11 - \$4,511.05; the total sum being \$50,808.10. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the transfers, as presented.

MOTION CARRIED.
SEE "EXHIBIT M"

5/B

The County Judge felt that this action had already been taken care of in Item 5/A and Commissioner Sanchez pointed out that the previous motion was for the transfer from the debt service account and this request was from the capital outlay account, from projects that had already been completed. He was placing both of these amounts into Object #36 so that he could buy road materials so that he could do some maintenance on some existing roads. Steve Austin, the County Auditor, then clarified that since these funds were being placed in Object #36, they could be utilized for road maintenance and the County Judge argued that in the previous motion the funds had been placed in the capital account, so that capital improvements could be done and not for the

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Direct Road and Bridge, "so as not to distort the picture of Road and Bridge". Judge Ruiz felt these funds should be used for the building of new roads and Commissioner Sanchez stated that he wanted to use them for the purchase of road materials and Commissioner Arcaute corrected him in saying that the purchase of road materials was Object #37. The discussion then continued with Steve Austin clarifying that Commissioner Sanchez wanted these monies to do road maintenance, to do this he would have to place it in Object #37; but, if he wanted the monies for new road paving then it needed to be moved to the capital projects fund. Commissioner Sanchez then stated that he would like it placed in Object #37 and he addressed the reason for this being that he had been given letters from people who had complained about roads that needed maintenance. The County Judge continued his argument by saying that these bonds had been sold for new road construction and Commissioner Sanchez responded that the law dictated that they could be used for road maintenance. Judge Ruiz still felt that these monies should be used in the perspective districts for new roads and Commissioner Sanchez stated that these road districts were within Precinct Three and he felt that at this point in time it was more feasible to do road maintenance than construct new roads, "as evidenced by the different petitions" that he had been given from the County Judge's Office. After further discussion, Judge Ruiz stated that he did "not believe that it [was] right for the taxpayers of District Two, that have a balance of \$23,339.08, that they should be the immediate benefactors of those monies". Commissioner Sanchez then stated that he would use those funds in District Two, since all the roads, throughout the Precinct had problems. Commissioner Sanchez then stated that he would like to correct his motion, for Item 5/A to state that it is for Object #37 and Commissioner Arcaute concurred. The discussion went on with Commissioner Sanchez requesting that he needed these monies for road maintenance since most of the roads in his precinct were in very bad shape. It was during this discussion, that it was brought up that Precinct One had begun the year with the lowest budget in Object #37, as opposed to the other Commissioners. After continuing discussion, a motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to transfer all the unappropriated fund balances in all completed capital outlay projects in Road Districts #2, #7, #10 and #11 into Precinct One's Road and Bridge Fund Object #37. (NOTE: The amounts to be transferred are as follows: \$1,364.36, \$48,159.83 and \$708.00.)

MOTION CARRIED. (JUDGE RUIZ VOTED AGAINST THE MOTION.)
SEE "EXHIBIT M"

- ITEM 6. J.D. SALINAS, Project Coordinator:
- A. Request to advertise for purchase of two (2) vehicles - Financial Disruption Task Force
 - B. Ratify & approve existing Ambulance Contract - Catalina & County of Hidalgo

6/A

J.D. Salinas came before the Court requesting the authorization to advertise for bids for vehicles for the Financial Disruption Task Force. He explained that in the past they have been leasing vehicles, but he felt that since this is an ongoing program, they can save some money if they purchase the vehicles. A discussion ensued regarding the funds that would be used to purchase these vehicles and if they can use some of the vehicles that had been surplus by the Sheriff's Department. A motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to authorize the advertising for bids for the purchase of two vehicles for the Financial Disruption Task Force; bid opening November 24, bid award November 30th.

MOTION CARRIED.
SEE "EXHIBIT N"

6/B

Commissioner Rosel stated that he was confused about this, and he stated that he had the contract that was in place, to provide ambulance service to the rural areas of the County, in Precinct Three. He stated that the County Auditor had refused to pay some bills last week because he felt that someone had switched contracts, from his office to the County Clerk's Office, and that someone had altered the contracts before they got to the Clerk's Office. The confusion with Commissioner Rosel was that some bills had been paid previously with no problem at all and he wanted to know what the County would do now that Catalina was terminating their contract with the County. J.D. Salinas then added that there had been a payment made on July 19, 1993 and he felt that there was no question about contracts, since it was a manual check. He also stated that the contract that they had was signed by the County Judge, the County Clerk's Office and Catalina Ambulance, so he felt that it was a valid contract. Steve Austin, the County Auditor, then responded by briefing the Court that Catalina Ambulance has been paid up through July 31st, 1993 and there had been no questions raised because "there was, in [his] files, in [his] office, a copy of a contract that was signed by both Catalina and the County Judge". Last week sometime, his office had been delivered an invoice and he had asked his office if they knew where this invoice had been all along. He continued by saying that he began to question this and in the process of reviewing the contracts, he found that when Commissioners' Court first received and approved this contract, on February 8, 1993, Commissioners' Court had been presented and approved a contract, which was marked "Exhibit T" of the minutes of Commissioners' Court, for that date, which contained clauses of "accountability" on the part of Catalina Ambulance, where Catalina Ambulance would give an accounting of the services that were being provided, these being under Sections 14A and 14B of that contract. The contract that the County Judge had signed lacked these two sections, however, and he had made some calls to the County Judge's Office, to clarify this. Mr. Austin continued by saying that he had also contacted Ms. Weiner, at Catalina Ambulance and found out that, after further negotiations, she had decided that she did not want that stipulation in the contract and therefore it had been taken out, at that time, and it was never brought back to this Court for ratification. Mr. Steve Crain, Acting Legal Counsel, then stated that he thought that there were numerous contracts that had been negotiated throughout the negotiation process and he felt that if a prior draft of the contract had gotten into the agenda, then he recommended that this Court ratify and approve the contract that was actually signed. The County Judge then stated that the contract that he and Ms. Weiner had signed was the contract that had been presented to Commissioners' Court and Commissioner Rosel added that he had suggested to the County Auditor that he look at the other contracts that were in place with the interlocal agreements that had been made with the cities and check the validity of those documents. A discussion then ensued regarding a payment that had been previously made, with the Auditor explaining the proper steps that should be taken before any type of payment can be made. Judge Ruiz then contended that this Commissioners' Court had approved the contract that had been negotiated by Commissioner Rosel, Catalina Ambulance and the County Judges's Office and had been presented to this Court. He then requested that in order to pay Catalina Ambulance for services that have been rendered, that this contract be ratified. After further discussion, a motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to ratify the action taken February 8th, approving the contract that has been signed by the County Judge and Lupe Weiner and attested by the County Clerk's Office.

MOTION CARRIED.
SEE "EXHIBIT N"

Judge Ruiz then continued by saying that the concern of this Commissioners' Court now was a letter that had been received, from Catalina Ambulance, stating that due to problems in the collection of payment for services, they are giving the County a thirty day notice

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to look for another provider, for this particular area. He felt that the Commissioner for Precinct Three should look into setting up a Fire District and Commissioner Rosel responded that he would like that the news media have a copy of this letter, so the residents can decide who is to blame for lack of service.

ITEM 8. PURCHASING DEPARTMENT:

A. Award Bids:

1. Hot Mix - Pct. 1
2. Hot Mix - Pcts. 2 & 4
3. Industrial Chemicals - County Wide
4. Janitorial Supplies - County Wide

B. Request to advertise for sale of property

8/A/1

Mary Maldonado, the Purchasing Agent, came before the Court and stated that Commissioner Sanchez would like this item to be put under advisement. The reason being that, in the bid, he is being charged one dollar more than the other Precincts. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to take all bids UNDER ADVISEMENT for the purchase of hot mix, in Precinct One.

MOTION CARRIED.
SEE "EXHIBIT P"

8/A/2

Ms. Maldonado explained that two bids had been received for the purchase of hot mix, for Precincts Two and Four. The bids were from Valley Caliche Products, at \$22.00 per ton and the other was from Frontera Materials with a bid of \$22.50 per ton. A motion was made by Commissioner Camarillo, seconded by Commissioner Sanchez, to award bid to Valley Caliche Products, at \$22.00 per ton; bid is for one year.

MOTION CARRIED.
SEE "EXHIBIT P"

8/A/3

Ms. Maldonado informed the Court that she had received eight bids for industrial chemicals, from the following companies: A.C. Industries, Inc., out of Katy, Sysco, out of San Antonio, Blue Star Chemical, out of Edinburg, Zep Manufacturing, out of Corpus Christi, Quality Janitorial, out of Edinburg, Clean-Rite Products, out of Edinburg, Astro Supply, out of McAllen, and C & E Enterprise, out of Edinburg. Ms. Maldonado then stated that Sysco could not guarantee their prices for a whole year and the County Judge responded that the bid would be awarded to them for two products, but if they change their prices then she should no longer purchase from them. A motion was then made by Commissioner Arcaute, seconded by Commissioner Sanchez, to award low bids for the purchase of forty-three different types of products, under the category of industrial chemicals, to Sysco, Blue Star Chemical, Quality Janitorial, Astro Supply and C & E Enterprise; these being all low bid.

MOTION CARRIED.
SEE "EXHIBIT P"

8/A/4

Mary Maldonado reported that she had received nine bids for the purchase of janitorial chemicals, those being: C & E Enterprise, out of Edinburg, Brown & Joiner, Inc., out of Harlingen, Century Papers, out of McAllen, Gulf Coast Paper, out of Brownsville, Clean-Rite Products, out of Edinburg, Astro, Supply, out of McAllen, Butler Paper, out of Corpus Christi, Sysco, out of San Antonio and Quality Janitorial, out of Edinburg. Again she stated that Clean-Rite Products and Sysco

could not guarantee their products for a one-year period and the County Judge replied that if their prices change, then we should no longer purchase from them. A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to award low bid prices to nine different vendors for seventy-five different types of products, under janitorial supplies.

MOTION CARRIED.
SEE "EXHIBIT P"

8/B

The County Judge reminded the Court that previously they had accepted an award, in San Carlos, of a processing plant that had been in operation for many years. He stated that since that time his office had received about three offers for the purchase of this particular property. He stated that in order to sell this property, they have to advertise it for bids, in the open market and at this time he was requesting authorization to get this property appraised, so that they can prepare for any future sale of this property, the reason for this is to put it back on the tax roll. He clarified that the action requested, at this time, was not for the sale of this property, but to get it appraised. Mr. Covacevich then added that the appraisal would be the first process, in actually selling this property. A motion was then made by Commissioner Rosel, seconded by Commissioner Camarillo, to authorize a request for appraisal for the property that is presently located in San Carlos, that was previously used as a processing plant.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 9. PLANNING DEPARTMENT:

A. Subdivisions:

- 1. Boyd Subd. Unit No. 2 - Pct. 1
- 2. County Breeze Estates Subd. - Pct. 1

B. Preliminary Approval:

- 1. New Monte Cristo Subdivision - Pct. 3

9/A/1

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the plat of Boyd Subdivision Unit No. 2, which is located on the corner of Business 83 and Mile 1 1/2 East Road, City of Merced, Precinct One.

MOTION CARRIED.
SEE "EXHIBIT Q"

9/A/2

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the plat of County Breeze Estates Subdivision, which is located approximately 330 feet north of Mile 10 1/4 North Line on the east side of Mile 5 1/2 West, City of Weslaco, Precinct One.

MOTION CARRIED.
SEE "EXHIBIT Q"

9/B

Roy Gonzalez, from the County Planning Department, presented the plat of New Monte Cristo Subdivision, which is located on the northwest corner of F.M. 1925 and F.M. 2993. He stated that on the drainage, they had not required a separate engineer, due to this plat having been submitted prior to the amendments to the subdivision regulations. The County Judge again asked if a separate engineer had looked at this subdivision and Mr. Gonzalez responded that it was not required,

because it had been submitted prior to the amendments to the regulations and the developer would be requesting a variance on the requirement of the culverts. Mr. Gonzalez then continued that it was his understanding that subdivisions that had already been submitted did not fall under the amendment and the County Judge asked that he check the minutes and make sure on that. A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to TABLE New Monte Cristo Subdivision, in Precinct Three, as presented.

MOTION CARRIED.
SEE "EXHIBIT Q"

ITEM 10. URBAN COUNTY:

- A. Resolution of Texas Community Develop Program Contract
- B. Approval of Amendment #2 to El Paraiso RTD - Environmental Group, Inc. Contract
- C. Approval of Amendment #2 to El Paraiso TWDB Contract #483-595
- D. Approval of bills

10/A

Anthony Covacevich explained to the Court that this resolution authorized signators for the grant that had been received in May of this year, in the amount of \$440,615.00. A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to adopt the resolution, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

10/B

Mr. Covacevich informed the Court that this was the second amemdment to the Phase I contract that had previously been approved. He explained that this amendment would extend the contract for an additional ninety days, the reason for the extension was that the land that had been previously identified for the disposal site was no longer available, so they had to look for another site, as well as do tests on that new site. After further explanation, a motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to approve an amendment #2 to El Paraiso, which is an extension of time, through January 1, 1994.

MOTION CARRIED.
SEE "EXHIBIT R"

10/C

Mr. Covacevich explained that this was basically the same as the previous amendment, only this amendment was with the Texas Water Development Board. A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to approve an amendment, between the Texas Water Development Board and the County of Hidalgo, for extension of completion date for El Paraiso Project, to be January 1st, 1994.

MOTION CARRIED.
SEE "EXHIBIT R"

10/D

A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to approve the 1991 Urban County bills #5317 thru #5318 totaling \$4,265.31; the 1992 Urban County bill #5319 in the amount of \$350.00; the 1993 Urban County bills #5320 thru #5324 totaling \$1,550.00; the Colonia 1A bill #5325 in the amount of \$418.75; the HOME Program bill #5326 in the amount of \$5,000.00; and the 1992 Urban County bill #5327 in the amount of \$35,286.03. The total Urban County memorandum to be approved is \$46,870.09.

MOTION CARRIED.
SEE "EXHIBIT R"

ITEM 11. WIC:

- A. Approval of Contract between Texas Department of Health & Hidalgo County
- B. Approve budget & set salaries for fiscal year '94

11/A

Norma Longoria, WIC Director, came before the Commissioners' Court requesting approval of a contract between the Texas Department of Health and Hidalgo County, for the WIC Program. The contract is for a one year period, commencing on October 1, 1993 and ending September 30, 1994 and it would reflect an increase in the sliding scale of 4% and the WIC Department would get reimbursed for each person that is seen. There are also increases in the reimbursements for each pregnant and/or breastfeeding patient that is seen, from \$.50 to \$1.50 and there is also an allotment of \$630,543.48 to be used for the continuation of the Immunization Program. A motion was then made by Commissioner Arcaute, seconded by Commissioner Camarillo, to approve a contract between the Department of Health and the County of Hidalgo, for Women, Infants and Children Services.

MOTION CARRIED.
SEE "EXHIBIT S"

11/B

Ms. Longoria explained that within the budget she had added the breastfeeding expenses and personnel and the total budget would be for \$2,305,554.31. She had also submitted an additional budget, for the immunization program, totaling \$608,087.27. In addition, she was submitting the salary schedules, which reflected a 5% salary increase and two additional slots. A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the two budgets, setting salaries, for the immunization budget and the WIC budget.

MOTION CARRIED.
SEE "EXHIBIT S"

ADD. 1. EXECUTIVE SESSION:

- A. Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.074 to discuss the following matter:
 - 1. Personnel Matter:
 - a. Discussion & Possible action of Interim Director of Hidalgo County Office of Employment & Training

ADD. 2. EXECUTIVE SESSION:

- A. Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071-1A to discuss the following matter:
 - 1. Discussion & possible action on Litigation

The County Judge and Commissioners went into Executive Session, accompanied by Mr. Steve Crain, County Legal Counsel, to discuss the previous two matters.

NO ACTION.

the process of issuing new voting cards. He also added that a polling place would be needed for this new precinct, and he instructed the court reporter to inform the County Clerk's Office of this. A motion was made by Commissioner Rosel, seconded by Commissioners Camarillo and Arcaute, to authorize an order adopting County election precincts, as set by creating Precinct 94.

MOTION CARRIED.
SEE "EXHIBIT O"

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 ajourned.

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 Sanchez, to approve a line item transfer of \$11,675.00, from Machinery/Equipment and Office Equipment to right-of-way acquisition, small tools, lubricants, electricity and repairs.

MOTION CARRIED.
SEE "EXHIBIT T"

ITEM 2. PERMIT - City of Mission

Vona Walker informed the Court that the City of Mission was requesting a permit, for a proposed subdivision on the west side of Shary Road, on the north side of the Mission Lateral, and it will be for an entrance into our drain ditch, to drain twenty acres and discharging 7.75 cfs. A motion was made by Commissioner Rosel, seconded by Commissioner Camarillo, to approve a permit by the City of Mission.

MOTION CARRIED.
SEE "EXHIBIT U"

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

MOTION CARRIED.

ADD. 1. OPEN SESSION:

- A. Discussion & possible action of Interim Director of Hidalgo County Office of Employment & Training

Judge Ruiz explained that they had discussed this matter and they were in agreement to hold an emergency meeting on Friday, November 5, 1993 at 3:00 PM in this Courtroom, with regards to both the Interim Directorship of the Office of Employment and Training and also to discuss the present budget of this department. He stated that there was No Action at this time.

NO ACTION.

ADD. 2. OPEN SESSION:

- A. Discussion & possible action on Litigation

The County Judge explained that this was in reference to an order that had been submitted by the Board of Judges, to increase the salaries of the court reporters by 10%. At the time that this order had been brought before the Commissioners' Court, a motion had been made to reject that order and set up an immediate meeting with the Board of Judges so that this matter could be discussed. A meeting had been set, for Monday, November 1, but it did not take place, due to some comments that were made by State District Judge Mario Ramirez through the media. As per additional comments, through the media, a statement had been made that a contempt order would be filed due to this Courts' decision. That action, however, has not been taken and the County Judge felt that because of this he saw it as a decision of reconciliation and at this time he was recommending that the Commissioners' Court rescind their previous action, rejecting the order and that the order be taken under advisement, until further budget consideration and that further discussions be held with the Honorable Mario Ramirez, Chairman of the Board of Judges. After a brief discussion, a motion was made by Commissioner Sanchez, seconded by Commissioner Camarillo, to rescind the action taken by Commissioners' Court rejecting the order from the Board of Judges giving a salary increase of 10% to the court reporters; and also take under the advisement of this Commissioners' Court the order until further budget consideration is given overall and further discussion with the Board of Judges.

MOTION CARRIED. (COMMISSIONER ROSEL VOTED AGAINST THE MOTION.)

ITEM 7. ORDER ADOPTING COUNTY ELECTION PRECINCTS

Noe Perez, Deputy Voter Registrar, informed the Court that a new voting precinct, Precinct 94, would be formed by decreasing voting precincts 29 and 78. The reason for this change was due to the Senate line cutting through both Precincts 29 and 78 and to eliminate this the new precinct was being created. The number of voters in each precinct would now be: Precinct 94 - 2923, Precinct 29 - 813 and Precinct 78 - 952, with both precincts 29 and 78 being reduced in the number of present voters. The County Judge then explained the precinct line of the new precinct being: Tenth Street and Conway Avenue, from Conway to the south until it reaches Expressway 83, then west on Expressway 83 to the Mission Main Canal; then southwest, at an angle, along the Mission Main Canal to the Mission Branch Pilot Channel; then northerly, along the center line of Inspiration Road back to Paseo Encantado, then westerly along that center line to Schuebach Road, from Schuebach Road back to Business Highway 83 and 83 back to the beginning point at Tenth and Conway. The County Judge then stated that this action needed to be taken at this time, due to the Voter Registration Department being in

THERE BEING NO FURTHER BUSINESS TO COME
BEFORE SAID COURT, the meetings of the Commissioners' Court and
the Drainage District were hereby 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 2ND day of NOVEMBER, 1993.

ATTEST:

WILLIAM R. LEO, County Clerk
Hidalgo County, Texas



By: _____
Jennifer Castillo, Deputy