



Jerry

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, FEBRUARY 22, 1994 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

NOTICE TO THE PUBLIC

CONSENT AGENDA

The following items are of a routine or administrative nature. The Commissioners' Court has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

1. Approval of Bills - County Auditor
2. Approval of Attorney's Fees - 1993 - \$ 35,744.50
- 1994 - \$ 34,708.50
3. Approval of Monthly Fee Reports:

A.	District Clerk	- \$ 98,938.95		- January
B.	County Clerk	- \$ 84,284.70	- Fee Acct.	- January
		- \$ 87,979.12	- Ct. Cost.	- January
C.	Sheriff's Dept.	- \$ 87,861.83		- January
D.	Constables:			
	1. Horacio Aguirre	- \$ 0.00		- January
	2. Gilbert Alaniz	- \$ 25.00		- January
	3. Luis Zamora	- \$ 750.00		- January
	4. Rinaldo Cerda	- \$ 175.00		- January
	5. Eduardo Bazan	- \$ 0.00		- January
E.	Justice of the Peace:			
	1. Adan Caballero	- \$ 4,050.00		- January
	2. Pete Leal	- \$ 8,626.50		- January
	3. Jesus Morales	- \$ 5,274.50		- January
	4. Esperidion Jackson	- \$ 3,493.50		- January
4. Request for Voting Machines:

A.	City of Edinburg	- 16 machines
B.	E.C.I.S.D.	- 04 machines



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

Consent Agenda
February 22, 1994
Page 02

5. Internal Line Item Transfers - 1994:
 - A. County Court at Law #4
 - B. Road and Bridge County Wide
 - C. Adult Probation Restitution Center (State Funds)
 - D. Adult Probation Boot Camp (State Funds)
 - E. Adult Probation (State Funds)
 - F. Tax Office
 - G. Health Department - Early Childhood Intervention
 - H. Revenue Sharing
 - I. Financial Disruption Task Force
 - J. Pct. #1 (Parks)
 - K. Pct. #1 (Paved/Unpaved)

6. Planning Department:
 - A. Subdivisions:
 1. Expressway Business Park Subdivision - Pct. #3
 2. Gonzalez-Lopez Subdivision - Pct. #3
 3. Meadow Breeze Subdivision - Pct. #4

7. Declare Equipment Surplus:
 - A. 1985 Dodge - Sheriff Department

8. Permits:
 - A. General Telephone Company - Pct. #1
 - B. Future Cablevision - Pct. #3
 - C. Southwestern Bell Telephone - pct. #4

Dated this the 16th day February, 1994.

J. Ruiz



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, FEBRUARY 22, 1994 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

1. County Extension Service - Ida Patrick:
 - A. Introduction of new County Extension Agent
2. Discussion on BFI's Letter of Response on possible Agreement Violations
3. Adult Probation Department:
 - A. Approval of Grant Award - Diversion Target Program
4. Appointment to Hidalgo County Library System Board
5. Set up Revenue & Appropriation Budget for Constable Pct. 5 - Investigation Fund
6. Budget Appropriation:
 - A. Sheriff Inv. Fund - Acct. #4-104-421-100.49 - \$ 5,000.00
 - B. Sheriff Inv. Fund - Acct. #4-104-421-100.86 - \$ 322.60
 - C. Sheriff Inv. Fund - Acct. #4-104-421-100.68 - \$ 1,000.00
 - D. Sheriff Inv. Fund - Acct. #4-104-421-100.86 - \$ 3,715.29
7. Authorization to carry over 1993 balances into 1994 Budget - Revenue Sharing
8. Budget Amendments:
 - A. Veterans' Service Office
 - B. Rural Fire Calls
 - C. Juvenile Probation
 - D. Attorney's Fees 1993/1994
9. Approval of Change Order No. 2 - Juvenile Detention Center - \$ 16,332.00
10. Health Department:
 - A. Authorization to adjust Salaries & Positions - Health Department
 - B. Approval of Radiology Contract with Weslaco Radiology Center
 - C. Approval of Immunization Grant



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

Agenda
February 22, 1994
Page 02

11. Sheriff's Dept.:
 - A. Approval of 1994-1995 Application for Narcotics Task Force Grant
 - B. Approval of Cooperative Working Agreement
 - C. Approval of Budget Schedule
 - D. Approval of Equal Employment Opportunity Program Certification
 - E. Certified Assurances
12. Rudy De La Vina - Human Services:
 - A. Authorization and approval to establish Fraud Procedures
13. Pct. #3:
 - A. Resolution authorizing Speed Limits
14. J.D. Salinas, Project Coordinator:
 - A. Request to enter into Interlocal Agreement between County of Hidalgo and City of San Juan
 - B. Cooperative Working Agreements
 - C. Approval of Budget Schedules
 - D. Equal Opportunity Program Certification
 - E. Certified Assurances
 - F. Single Audit Act Certified Assurance
 - G. Certification regarding Debarment and Suspension
 - H. Certification regarding Lobbying
15. Purchasing Department:
 - A. Award bids for paving roads:
 1. Acevedo Subdivision - Pct. #3
 2. Salso Subdivision - Pct. #3
 3. Bazan Subdivision - Pct. #3
16. Urban County:
 - A. HOME "First Time Homebuyer Contract Agreements and Letter of Commitment to Mortgage Company
 - B. Approval of Resolution - TCDP Contract #702035
 - C. Approval of bills
17. Office of Employment and Training:
 - A. Approval of Re-appointments to the Private Industry Council Board



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

Agenda
February 22, 1994
Page 03

18. Discussion & action on temporary Restraining Order filed against Fire District #3 by Service Provider

19. Executive Session:

Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.072 & 551.074 to discuss the following matter:

- A. Consideration of Resale of Struck Off Property
- B. Resolution authorizing County Judge to sign Proposed Deed
- C. Consideration of Contract for Services - Health Director
- D. Discussion on Personnel at Sheriff Department & Detention Center

20. Open Session:

- A. Discussion & possible action of Resale of Struck Off Property
- B. Discussion & possible action of Resolution authorizing County Judge to sign Proposed Deed
- C. Consideration & approval of Contract for Services - Health Director
- D. Discussion & possible action on Personnel at Sheriff Department & Detention Center

Dated this the 16th day of February, 1994, _____



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, FEBRUARY 22, 1994 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

DRAINAGE DISTRICT

1. Line Item Transfer
2. Award bid - Santa Cruz & Linda Vista Project
3. Change Order No. 1 - Santa Cruz & Linda Vista Project

Dated this the 16th day of February, 1994.

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 22ND day of FEBRUARY, 1994, 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 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:

-----000-----

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 BILLS - County Auditor
General Fund - #96668 - #96879 - \$18,956,903.08
Special Revenue Fund - #95385 - #95430 - \$ 1,239,794.65
Capital Projects Fund - # 4693 - # 4694 - \$ 434.00
Trust and Agency Fund - # 3942 - # 3968 - \$ 442,173.47
Enterprise Fund - # 1772 - # 1785 - \$ 10,317.25
(SEE "EXHIBIT A")

ITEM 2. APPROVAL OF ATTORNEYS' FEES - 1993 - \$35,744.50
- 1994 - \$34,708.50
(SEE "EXHIBIT B")

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:
A. District Clerk - \$98,938.95 - January
B. County Clerk - \$84,284.70 - Fee Acct. - January
- \$87,979.12 - Ct. Cost - January
C. Sheriff's Dept. - \$87,861.83 - January
D. Constables:
1. Horacio Aguirre - \$ 0.00 - January
2. Gilbert Alaniz - \$ 25.00 - January
3. Luis Zamora - \$ 750.00 - January
4. Rumaldo Cerda - \$ 175.00 - January
5. Eduardo Bazan - \$ 0.00 - January
E. Justice of the Peace:
1. Adan Caballero - \$ 4,050.00 - January
2. Pete Leal - \$ 8,626.50 - January
3. Jesus Morales - \$ 5,274.50 - January
4. Esperidion Jackson - \$ 3,493.50 - January
(SEE "EXHIBIT C")

ITEM 4. REQUEST FOR VOTING MACHINES:

- A. City of Edinburg - 16 machines
- B. E.C.I.S.D. - 04 machines

(SEE "EXHIBIT D")

ITEM 5. INTERNAL LINE ITEM TRANSFERS - 1994:

- A. County Court at Law #4 - \$150.00
- B. Road and Bridge County Wide - \$1,000.00
- C. Adult Probation Restitution Center (State Funds) - \$554.95
- D. Adult Probation Boot Camp (State Funds) - \$34,899.00
- E. Adult Probation (State Funds) - \$1,598.00
- F. Tax Office - \$9,200.00
- G. Health Department - Early Childhood Intervention - \$900.00
- H. Revenue Sharing - \$650.00
- I. Financial Disruption Task Force - \$4,450.00
- J. Pct. #1 (Parks) - \$4,000.00
- K. Pct. #1 (Paved/Unpaved) - \$2,500.00

(SEE "EXHIBIT E")

ITEM 6. PLANNING DEPARTMENT:

A. Subdivisions:

- 1. Expressway Business Park Subdivision - Pct. #3
- 2. Gonzalez-Lopez Subdivision - Pct. #3
- 3. Meadow Breeze Subdivision - Pct. #4

6/A/1

Expressway Business Park Subdivision is located between Mayberry Road and Bryan Road, on the south side of Expressway 83, City of Mission, Precinct Three.

(SEE "EXHIBIT F")

6/A/2

Gonzalez-Lopez Subdivision is located approximately 110 feet south of Jordan Road, on the west side of South 23rd Street, City of McAllen, Precinct Three.

(SEE "EXHIBIT F")

6/A/3

Meadow Breeze Subdivision is located between Garza Street and Maria Luiza Drive, on the north side of Canton Road, City of Edinburg, Precinct Four.

(SEE "EXHIBIT F")

ITEM 7. DECLARE EQUIPMENT SURPLUS:
A. 1985 Dodge - Sheriff Department
(SEE "EXHIBIT G")

ITEM 8. PERMITS:
A. General Telephone Company - Pct. #1
B. Future Cablevision - Pct. #3
C. Southwestern Bell Telephone - Pct. #4

8/A

In Precinct One, General Telephone Company is requesting a permit to bury a cable along Mile 5 1/2 West, beginning 1200 feet north of its intersection with Mile 10 North and going north for approximately 1200 feet.
(SEE "EXHIBIT H")

8/B

In Precinct Three, Future Cablevision is requesting a permit to lay a cable across streets in Silverado, Silverado West, Riverside, Villa Rama, Squire and Prairie View Subdivisions.
(SEE "EXHIBIT H")

8/C

In Precinct Four, Southwestern Bell Telephone is requesting a permit to lay a cable along Mon Mack Road, beginning two miles north of FM 1925 and going north 2751 feet.
(SEE "EXHIBIT H")

The County Judge began by asking the Commissioners if they had any questions and/or comments regarding the Consent Agenda, there being none, a motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve the Consent Agenda, as presented.

MOTION CARRIED.
SEE "EXHIBITS A-H"

REGULAR AGENDA
=====

ITEM 1. COUNTY EXTENSION SERVICE - Ida Patrick:
A. Introduction of new County Extension Agent

Brad Cowen came before the Court to introduce their newest Ex-

(02/22/94)

tension Faculty member, Mr. Mario Perches. Mr. Cowen then continued by giving a brief rundown of Mr. Perches background. The County Judge and Commissioners then proceeded to welcome him and allowed him to say a few words.

NO ACTION.
SEE "EXHIBIT I"

ITEM 2. DISCUSSION ON BFI'S LETTER OF RESPONSE ON POSSIBLE AGREEMENT VIOLATIONS

Judge Ruiz informed the Court that a few weeks prior, this Commissioners' Court had received an item on the agenda, whereby some remarks were made regarding some questions on the agreement between some Donna residents and BFI. He added that, at that time Commissioners' Court had taken action to send a letter to BFI stating the items, in question. BFI had responded to that letter, with a letter of their own which had been forwarded to the concerned residents and they had again requested to be placed on the agenda.

Dr. Roger Boren then proceeded to come up and state his concerns with a brief overview of what he perceived to be problems with the landfill. In his comments, he stated that this Commissioners' Court had previously been notified of the opening of the landfill and the concerns of the local residents. His comments were basically in response to the letter from Mr. Randolph Delay, to Mr. James Darling. Dr. Boren brought up the extension, by the Texas Natural Resource Conservation Commission (TNRCC), on the paving of Mile 5 North Road, which he claimed BFI had moved the date to sometime in June. He then reported on the agreement between the residents and BFI that any concerns should be brought up to BFI. Dr. Boren then continued with the road design, as proposed by BFI, for a thirty foot wide road, curb-to-curb and the bid specifications which show that the road would actually be twenty-eight feet wide. He explained that he had discussed the size with Vona Walker and some of the Commissioners, as well as the County Judge and explained some of the problems that could occur on such a narrow road. In his closing statement, he said that he felt that they, BFI, should have at least twenty feet of clearance on either side of the road.

The County Judge then introduced Mr. J.W. Dyer who reminded the Commissioners' Court that the two main areas that were in question here were the agreement between BFI and the residents and paving of the road. He felt that the same road requirements that are imposed on everyone else should also be imposed on BFI and it should have nothing to do with the agreement. He also mentioned that the TNRCC's requirements did not override the requirements mandated by the local entities, but were in conjunction to the local permits that were needed.

Judge Ruiz then informed him that he agreed with his comments

and added that Commissioners' Court did, in terms of the paving of roads, twenty-four foot roads, without curb and gutter. On all, new road and street constructions that were required under the subdivision regulations, they called for no less than a fifty foot right-of-way, however, for all developments that abutted into an existing road, the developers were not required to acquire new right-of-way. He then said that, as per the regulations, he did not feel that his Court had the right to require a fifty foot right-of-way, but in terms of safety, he did feel that BFI should consider the addition of some right-of-way. He added that BFI would be asked to make an investment towards the purchase of right-of-way and if this could not be done they, he felt, that they would have to authority to ask for condemnation procedures, for public safety.

The County Judge then proceeded to let Mr. Randolph Delay say a few words, in response to the accusations that were made. Mr. Delay stated for the record that he was present on behalf of BFI and he addressed some of the comments that were made by Dr. Boren. He began by saying that the response letter, by BFI, was timely, that they were in full compliance with the permit granted by TNRCC, as well as with the agreement with the citizens and the County. He added that the guard-rail was halfway completed and the actual construction of the road would begin on Friday or Monday of next week, instead of today, due to some irrigation replacements and other things. He stated that they had worked very closely with North Alamo Water Supply, the County and Mr. Brown, a nearby neighbor and he felt that everything had been resolved to everyones satisfaction. He continued by saying that all this could have been avoided, if Dr. Boren would contact BFI, with any concerns that he had. He then proceeded to comment on any new items that were brought before this Court at this time, by saying that he felt that it was inappropriate for any action to be taken, because it was not specified on the agenda. He then stated that they have always been open to any questions and/or comments, that the citizens or any government entity might have.

Judge Ruiz then stated that what he was hearing at this time was that the agreement stated that the road had to be thirty feet, back-to-back and the impression that Mr. Boren had was that the adjacent land-owners would not permit BFI access to their land to properly construct the road. He then asked Mr. Delay if he would be willing to sit down and see if BFI could acquire additional right-of-way, in order to construct the road properly. Mr. Delay then stated that he felt that this question should be answered by Paul Shelstrake.

Mr. Shelstrake then stated that as soon as the agreement had been reached, in late September, he had initiated discussions on the design of the road and he had told the County staff that the road would be build, as per the County's specifications. The County staff had at that time referred back to the original documents by Melden and Hunt, about six years ago, where Melden & Hunt had suggested a twenty-eight foot wide road. He then added that aside from the road, BFI was also going to install drain pipes, which would also benefit the residents adjacent

(02/22/94)

to BFI. He then addressed the issue of easements, by saying that Mr. Brown, one of the residents adjacent to BFI, had already signed an easement agreement with BFI, in which he gave the County an additional ten feet of right-of-way.

Commissioner Sanchez then asked Mr. Delay who he had been talking to, with regards to his reference to "County staff" and Mr. Delay responded that he had talked to Vona Walker and anybody else who was interested in this. Commissioner Sanchez then stated that eight years ago discussions had been held regarding the fifty foot right-of-ways and he felt that since this road was travelled by larger vehicles, as well as by school buses, that all those concerned should sit down together and address this problem and maybe come up with an amicable solution.

Mr. Delay then stated that he had no problem with that and he felt that Mr. Shelstrake felt the same way and he added that they had been able to work problems out with North Alamo Water Supply and he did not see why this could not be done here. Mr. Shelstrake then said that all he needed was a time and place and they would meet and Commissioner Sanchez announced that he would like to meet with the residents and BFI, in his office on Wednesday at 10:00 AM, to discuss these concerns.

Commissioner Rosel then brought up some comments stated by Mr. Delay, where he had said that they would hear any concerns made by the residents, his point being that they had told him that they had attempted to contact BFI, to no avail. Mr. Delay then stated that he would be amenable and accessible to anyone and Mr. Shelstrake added that all they had to do was call and the call would be forwarded.

Judge Ruiz then reiterated that there were two requests from the citizens, one being a safety concern, in terms of the road and the other being the filing of an injunction to discontinue work at the landfill. He felt that an effort was being made to resolve this problem without any injunctive relief and he felt that no action was needed at this time. Judge Ruiz then entertained a question by a member of the audience, who wanted the contact numbers at BFI.

NO ACTION.
SEE "EXHIBIT J"

ITEM 3. ADULT PROBATION DEPARTMENT:

A. Approval of Grant Award - Diversion Target Program

Joe Lopez, Adult Probation Director, came before the Court requesting approval of a grant award, under the Diversion Target Program. The grant amount was for \$13,500.00, to be used for the independent audit that was required by the State. This audit will be performed by Mr. Joseph Hicks. A motion was made by Commissioner Arcaute and seconded

(02/22/94)

7

by Commissioner Camarillo, to approve the grant award for Diversion Target Program, independent audit; the budget is for \$13,500.00.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 4. APPOINTMENT TO HIDALGO COUNTY LIBRARY SYSTEM BOARD

Mr. Bill McGee, County Library System Coordinator, came before the Court presenting the nominees to the Hidalgo County Library Board. These nominations being Vel Turner, Jon Harrison and William Fitzgerald. A motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to appoint Mr. Vel Turner, as representative to the Hidalgo County Library System Board, from the McAllen Memorial Library.

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 5. SET UP REVENUE & APPROPRIATION BUDGET FOR CONSTABLE PCT. 5 - INVESTIGATION FUND

Judge Ruiz informed the Court that this was for \$2,073.15, and it was to be appropriated as follows: \$1,300.00 for equipment, \$523.15 for office supplies and \$250.00 for tires and tubes. These monies were awarded to the Constable, for his involvement in an investigation. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to appropriate budget for Constable Precinct 5, under Investigation Fund, as presented.

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 6. BUDGET APPROPRIATION:

A. Sheriff Inv. Fund - Acct. #4-104-421-100.49 - \$5,000.00
B. Sheriff Inv. Fund - Acct. #4-104-421-100.86 - \$ 322.60
C. Sheriff Inv. Fund - Acct. #4-104-421-100.68 - \$1,000.00
A. Sheriff Inv. Fund - Acct. #4-104-421-100.86 - \$3,715.29

A motion was made by Commissioner Arcaute and seconded by Commissioner Camarillo, to authorize the appropriation of \$5,000.00, \$322.60, \$1,000.00 and \$3715.29, respectively, to the Sheriff's Investigation Fund.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 7. AUTHORIZATION TO CARRY OVER 1993 BALANCES INTO 1994 BUDGET -
Revenue Sharing

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to authorize a carry over of 1993 balances, in the Revenue Sharing Account, to 1994; the amount is \$7,566.76.

MOTION CARRIED.

- ITEM 8. BUDGET AMENDMENTS:
- A. Veterans' Service Office
 - B. Rural Fire Calls
 - C. Juvenile Probation
 - D. Attorney's Fees 1993/1994

8/A&B

Judge Ruiz explained that these were transfers from 1993 to 1994. Under the Veterans' Service Office the amount was \$18,214.00 and under the Rural Fire Calls the amount was \$37,425.00. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to approve the budget amendments, as presented.

MOTION CARRIED.
SEE "EXHIBIT O"

8/C

Buddy Silva then stated that this amendment was for the renovation of the Juvenile Detention Center. This amount was basically to take care of a change order in the amount of \$13,332.00. The amendment request was for \$16,500.00. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve change order #2 for the Juvenile Detention Center, increasing the contract by \$16,322.00 to Aleco Construction and authorize a transfer of funds amending this budget by \$16,500.00; transferring it from Object 82 to Object 90.

MOTION CARRIED.
SEE "EXHIBIT O"

8/D

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize a budget amendment of \$37,744.50 from 1993 into 1994.

MOTION CARRIED.
SEE "EXHIBIT O"

ITEM 9. APPROVAL OF CHANGE ORDER NO. 2 - Juvenile Detention Center -
\$16,322.00

ACTION TAKEN UNDER ITEM 8/C
SEE "EXHIBIT P"

- ITEM 10. HEALTH DEPARTMENT:
 - A. Authorization to adjust Salaries & Positions - Health Department
 - B. Approval of Radiology contract with Weslaco Radiology Center
 - C. Approval of Immunization Grant

10/A

The County Judge informed the Court that during the budget process they had discussed the problem with attracting RN's to the Health Department. He stated that at this time Ofelia Espinoza and Dora Longoria, had brought a plan that they hoped would assist in filling the RN slots, in the Health Department.

Dora Longoria then stated that presently they were paying the staff RNs \$30,000.00 and \$32,000.00 for the clinic supervisors and this included the 5% increase. She then said that the proposal at this time was to upgrade the salary of the staff RN to \$32,000.00 per year and \$34,000.00 per year for the clinic supervisor. She added that the funds for this would come from the CoPay Fund. Judge Ruiz then told her that she had addressed several priorities, such as LVNs, social workers and health educators, as well as RNs and his question was if they should be addressing the issue of RNs and solve this problem before spending any additional monies. Ms. Longoria then stated that these other positions were college graduates, as well, and she did not want to loose them to higher paying jobs elsewhere. The County Judge then asked her to state the type of increases that she was proposing for these positions and she stated that they were the following:

- For RNs - an additional \$2,000.00
- For LVNs - an additional \$1,000.00
- For Clinic Supervisors - an additional \$3,000.00
- For Social Workers - an additional \$2,000.00
- For Health Educators - an additional \$2,000.00

Judge Ruiz then proposed that they would approve the increases to the staff RNs and the Clinic Supervisors and once this problem with the RNs was solved then they could bring the other positions for consi-

(02/22/94)

deration, at a later date. After further discussion, a motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize a salary adjustment to the staff RNs and Clinic Supervisor RNs, raising their salaries by \$2,000.00 and \$3,000.00, respectively, setting their salaries at \$32,000.00 and \$34,000.00, per year. These increases to be addressed with CoPay Funds.

MOTION CARRIED.
SEE "EXHIBIT Q"

10/B

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to authorize a one year contract, beginning the 1st of February, 1994 with the Weslaco Radiology Center.

MOTION CARRIED.
SEE "EXHIBIT Q"

10/C

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize and approve the Immunization Grant renewal, in the amount of \$96,580.00.

MOTION CARRIED.
SEE "EXHIBIT Q"

ITEM 11. SHERIFF'S DEPARTMENT:

- A. Approval of 1994-1995 Application for Narcotics Task Force Grant
- B. Approval of Cooperative Working Agreement
- C. Approval of Budget Schedule
- D. Approval of Equal Employment Opportunity Program Certification
- E. Certified Assurances

11/A

Sheriff Brig Marmolejo came before the Court requesting approval of the 1994-1995 Narcotics Task Force Grant Application. The grant is for \$223,241.00 and it is a combined grant with the City of McAllen. The only changes were a 25% increase in overtime, as well as a 5% increase for the staff under this grant. A motion was then made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve the Texas Narcotic Control Program Application, the budget is for \$223,241.00, for 1994 and 1995.

MOTION CARRIED.
SEE "EXHIBIT R"

11/B-E

A motion was made by Commissioner Arcaute and seconded by Commissioners Rosel and Camarillo, to approve the cooperative working agreement, all certifications, schedules and assurances and authorize the County Judge to sign all documents.

MOTION CARRIED.
SEE "EXHIBIT R"

ITEM 12. RUDY DE LA VINA - Human Services:
A. Authorization and approval to establish Fraud Procedures

Travis Heister, the County Legal Counsel, informed the Court that there was a Legislative requirement to adopt guidelines to address how people would be processed. He then proceeded to give the proposed procedures, as stated in the documentation. Commissioner Rosel then questioned the item which stated that all these cases would be brought before the County Court at Law No. 4 Judge. After a brief discussion, Commissioner Rosel recommended that no action be taken at this time, until further clarification.

NO ACTION.
SEE "EXHIBIT S"

ITEM 19. EXECUTIVE SESSION:
A. Commissioners Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.072 & 551.074 to discuss the following matter:
4. Discussion on Personnel at Sheriff Department & Detention Center

The County Judge and Commissioners went into Executive Session accompanied by District Attorney Rene Guerra, Ted Hake and Sheriff Brig Marmolejo. The Executive Session lasted approximately an hour and five minutes.

NO ACTION.

ITEM 20. OPEN SESSION:
D. Discussion & possible action on Personnel at Sheriff Department & Detention Center

20/D
NO ACTION.

(02/22/94)

SEE "EXHIBIT Y"

ITEM 18. DISCUSSION & ACTION ON TEMPORARY RESTRAINING ORDER FILED AGAINST FIRE DISTRICT #3 BY SERVICE PROVIDER

Before he began the County Judge stated that they had informed the Fire Distict #3 Board about this item on the agenda. He then added that he had been informed through the media and the press of this temporary restraining order, which came about because the contract with the service provider would end on February 28th. The County Judge stated that their main concern was that after this date there might not be any service to this area. Eddie De La Garza then reported that the hearing on this matter would be held on Monday, February 28, at 9:00 AM and it would be regarding whether to extend the temporary restraining order or not. After further discussion, wherein the County Judge stated that this issue needed to be resolved in order to continue the provision of service to that area and that no action be taken at this time.

NO ACTION.
SEE "EXHIBIT X"

ITEM 13. PCT. #3:
A. Resolution authorizing Speed Limits

NO ACTION.

- ITEM 14. J.D. SALINAS, Project Coordinator:
- A. Request to enter into Interlocal Agreement between County of Hidalgo and City of San Juan
 - B. Cooperative Working Agreements
 - C. Approval of Budget Schedules
 - D. Equal Opportunity Program Certification
 - E. Certified Assurances
 - F. Single Audit Act Certified Assurance
 - G. Certification regarding Debarment and Suspension
 - H. Certification regarding Lobbying

14/A

J.D. Salinas came before the Court requesting permission to enter into an interlocal agreement with the City of San Juan. This agreement would be under the HIDTA Grant and it would be for one officer. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to approve an interlocal agreement between the County

of Hidalgo and the City of San Juan, as presented.

MOTION CARRIED.
SEE "EXHIBIT T"

14/B-H

Mr. Salinas explained that that these were the cooperative working agreements, the certifications and the budget schedules. He continued by saying that the budget schedule was the salary that the city would pay this officer, this being \$30,453.00. He then pointed out that their budget schedule was 25% overtime and overtime was not paid unless it was pre-approved. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to authorize the approval of the cooperative agreement, that is in place between all the participants, in this particular budget, being \$30,453.00, which one officer, overtime and all assigned fringes; also certifying that we are meeting all equal opportunity, all other assurances, this grant is under the single audit act requirement and certification regarding debarment, suspension and lobbying.

MOTION CARRIED.
SEE "EXHIBIT T"

ITEM 15. PURCHASING DEPARTMENT:

- A. Award bids for paving roads:
 - 1. Acevedo Subdivision - Pct. #3
 - 2. Celso Subdivision - Pct. #3
 - 3. Bazan Subdivision - Pct. #3

Mary Maldonado, the Purchasing Director, informed the Court that she had received one bid, from Mission Paving Company. The total bid price for all three projects combined is \$27,239.78. A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to award bid to the sole bidder being Mission Paving Company, for the projects, as listed.

MOTION CARRIED.
SEE "EXHIBIT U"

ITEM 16. URBAN COUNTY:

- A. HOME "First-Time Homebuyer" Contract Agreements and Letter of Commitment to Mortgage Company
- B. Approval of Resolution - TCDP Contract #702035
- C. Approval of bills

16/A

Raul Lozano came before the Court to request approval of four more First-Time Homebuyer contract agreements with David Gallegos, Jaime Villarreal, Oscar Siliceo and Gerardo Garcia. He is also requesting letters of commitment from Frontera Mortgage, on each applicant. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to approve David Gallegos, Jaime Villarreal, Oscar Siliceo and Gerardo Garcia, as "First-Time Homebuyers" and approval with Frontera Mortgage, as the mortgage company.

MOTION CARRIED.
SEE "EXHIBIT V"

16/B

Mr. Lozano informed the Court that the Urban County was recommending an amendment to the original performance statement which included Victoria Belen Subdivision, which they are now requesting to delete. At the same time they are requesting the addition of La Flora Subdivision and Davis Road Subdivision. He explained that the benefit to the low-to-moderate families will be greater, being that they will be helping more families. The reason for the deletion of Victoria Belen Subdivision is that this subdivision is under litigation, due to the homeowners not having a contract for deed. A motion was then made by Commissioner Arcaute and seconded by Commissioner Rosel and Camarillo, to amend the Texas Community Development Program Fund, deleting Victoria Belen and adding Davis Road and La Flora Subdivision, by resolution.

MOTION CARRIED.
SEE "EXHIBIT V"

16/C

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve the 1990 Urban County Program bill #5724 in the amount of \$29,250.00; the 1991 Urban County Program bills #5725 and #5726 totaling \$3,040.00; the 1992 Urban County Program bill #5727 in the amount of \$6,463.00; the 1993 Urban County Program bills #5728 thru #5730 totaling \$3,958.14; the Colonia 1A Program bill #5731 in the amount of \$5,346.00 and the HOME Program bills #5732 thru #5734 totaling \$15,000.00. The total Urban County memorandum to be approved is \$63,057.14.

MOTION CARRIED.
SEE "EXHIBIT V"

ITEM 17. OFFICE OF EMPLOYMENT AND TRAINING:

- A. Approval of Re-appointments to the Private Industry Council Board

Judge Ruiz explained that, being that Hector Galindo, was from the Willacy County area, no action would be taken on his appointment

until it was approved by the Willacy County Commissioners' Court. He explained that the reappointments request at this time was for Richard Ozuna, Hector Cavazos, Mike Habig, Mario Leal and Dalia Longoria. A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve the reappointments of Mr. Richard Ozuna, Hector, Mike Habig, Mario Leal and Dalia Longoria, to new terms on the Private Industry Council.

MOTION CARRIED.
SEE "EXHIBIT W"

ITEM 19. EXECUTIVE SESSION:

- A. Commissioners Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.072 & 551.074 to discuss the following matter:
 - 1. Consideration of Resale of Struck Off Property
 - 2. Resolution authorizing County Judge to sign Proposed Deed
 - 3. Consideration & approval of Contract for Services - Health Director

The County Judge and Commissioners went into Executive Session and were accompanied by Lucy Canales for items 19/A/1 and 19/A/2.

NO ACTION.

ITEM 20. OPEN SESSION:

- A. Discussion & possible action of Resale of Struck Off Property
- B. Discussion & possible action of Resolution authorizing County Judge to sign Proposed Deed
- C. Consideration & approval of Contract for Services - Health Director

20/A

Lucy Canales came before the court and presented the following pieces of property for resale:

- A) The north 2.5 acres of Lot 21 Block 39, Texan Garden Subdivision, with a minimum bid being \$150.00 per acre;
- B) The south 5.0 acres of Lot 29 Block 31, Texan Garden Subdivision, with a minimum bid of \$300.00 per acre;
- C) The south 5.6 acres of Lot 10 Block 33, Texan Garden Subdivision, with a minimum bid of \$300.00 per acre;
- D) The south 6.0 acres of Lot 17 Block 1, Texan Garden Subdivision, with a minimum bid of \$700.00 per acre;
- E) The south 5.0 acres of Lot 33 Block 23, Texan Garden Subdivision,

(02/22/94)

sion, with a minimum bid of \$500.00 per acre.

Judge Ruiz informed the Court that this property was being sold in order to place it back on the County tax rolls. Ms. Canales then stated that this property had previously been sold, therefore they would be resales. A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to set minimum and authorize the resale of struck off property, as presented.

MOTION CARRIED.

20/B

Lucy Canales explained that this was in regards to a tax sale, that had occurred in 1945, where the taxpayer had redeemed the property back to the County, in 1946. She continued by saying that this taxpayer had always paid her taxes, but being that she was now deceased they were wanting to give a tax redemption deed without warranty to cure the break in the chain of title, on behalf of the heirs of the deceased taxpayer. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve a resolution authorizing the County Judge to sign the proposed deeds, for correctional purposes.

MOTION CARRIED.

20/C

Judge Ruiz reported that he and Commissioners had met in Executive Session and there were some changes made, in comparison to Dr. Wilson's contract. He added that the biggest change was the increase in salary to \$95,000.00; it also included \$250.00 in auto allowance and \$10,000.00 for professional liability premium insurance. A motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to approve the contract with Dr. Omar Garza, as Medical Director, for a period of one year, as presented.

MOTION CARRIED.

SEE "EXHIBIT Y"

Judge Ruiz then voiced his deep appreciation for Dr. Celestino Avila, who served as Temporary Director, for the Health Department.

There being no further business to come before the Court, a motion was made by Commissioner Camarillo and 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 and seconded by Commissioner Sanchez, to authorize a line item transfer of \$215,900.00, to be moved from salaries of employees, repair and maintenance, fuel, equipment repairs and Machine and equipment to Temporary salaries of equipment and Drain ditch structures.

MOTION CARRIED.
SEE "EXHIBIT Z"

ITEM 2. AWARD BID - Santa Cruz & Linda Vista Project

ITEM 3. CHANGE ORDER NO. 1 - Santa Cruz & Linda Vista Project

2 & 3

Vona Walker indicated that they had advertised for the improvements and they had received a base bid with alternates for the Rancho Santa Cruz and the Linda Vista drainage project. Judge Ruiz then gave a brief explanation of the drainage problem basically that the construction of the La Tiendas Shopping Complex had added to the problem. Ms. Walker explained that they were proposing to take the base bid and the alternate, that would put it in boxes from Jackson Road, east to the Summit and that would total \$932,224.00. She continued by saying that they were requesting that this base bid be awarded, in addition to this they also had a change order, to which the contractor had agreed to, that would reduce the contract amount to \$753,596.00. She stated that they were reducing some of the boxes, that would be taken care of by the Highway Department and the deletion of a drop weir structure and "incorporating its use into the proposed modified levee control structure". This contract would also include a meter crossing and a road crossing for the Linda Vista Project, on Mile 5. A motion was then made by Commissioner Camarillo and seconded by Commissioner Sanchez, to award bid to McAllen Construction Company, with the change order of \$178,628.00, bringing the total project cost to \$753,596.00.

MOTION CARRIED.
SEE "EXHIBIT AA"

(02/22/94)

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

MOTION CARRIED.

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

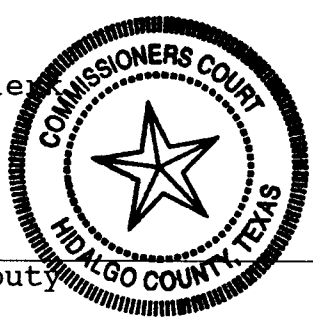
Juan Rosel _____
County Commissioner, Precinct #3

Leonard Camarillo _____
County Commissioner, Precinct #4

Dated this 22ND day of FEBRUARY, 1994.

ATTEST:

WILLIAM R. LEO, County Clerk
Hidalgo County, Texas



By: JFC _____
Jennifer Castillo, Deputy