

RUIZ

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

Jenny

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on MONDAY, MAY 09, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 - \$ 61,630.00
3. Approval of Monthly Fee Reports:
 - A. Justice of the Peace:
 1. Rosa E. Trevino - \$ 3,902.94 - January
 2. Rene Torres - \$ 10,398.75 - February
 3. Ruben Ramos - \$ 3,761.57 - April
 - B. Anzaldua's Park - \$ 27,120.00 - April
4. Planning Department:
 - A. Subdivisions:
 1. Resubdivision of Lot 2 Dale Mauldin Subd. - Pct. 1
 2. Marpa Subdivision - Pct. 2
 3. Sing's Subdivision - Pct. 2
5. Permits:
 - A. North Alamo water Supply - Pct. 1
 - B. Southwestern Bell Telephone - Pct. 4
6. Internal Line Item Transfers:
 - A. J.P. Pct. 5, Pl.1 (E. Jackson)
 - B. County Judge
 - C. General Government (Revenue Sharing)

(continued)

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HIDALGO COUNTY JUDGE

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(continuation)

- D. Adult Probation Restitution Center (State funds)
- E. Juvenile Probation (#4-010-423-300)
- F. Juvenile Probation (#4-010-423-610)
- G. Health Department (Immunization Division Grant)
- H. Health Department (TB Elimination Grant)
- I. Health Department (Clinics)
- J. Pct. #2 (Paved/unpaved)
- K. Pct. #2 (Parks)
- L. Pct. #3 (Enterprise fund)
- M. Pct. #3 (Paved/unpaved)
- N. Election
- O. Buildings & Grounds

Dated this the 04th day of May, 1994

RUIZ

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on MONDAY, MAY 09, 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. Executive Session:

Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071 to discuss the following matter:

A. Litigation:

1. Settlement of Carrasco vs. Casso

2. Open Session:

A. Litigation:

1. Settlement of Carrasco vs. Casso

3. Proclamation designating Foster Care Month - Child Protective Services

4. Delegation from residents of Tres Colonias - Juventino Osuna

5. Approval of addendum to Personnel Policy Manual - Federal Family Medical Leave

6. Consideration of request from Katie Pearson Klein

7. Request to advertise for the employment of a Veterans' Service Officer

8. Budget Amendments:

- A. 275th District Court
- B. 370th District Court
- C. Library System

9. Consideration of membership to National Association of Counties

10. Pct. #1:

- A. Authorization to enter into an Interlocal Agreement with Weslaco ISD & County of Hidalgo

11. Pct. #3:

- A. Approval of Change Order - Big D Lining System Co. - Enterprise Fund
- B. Authorization to exempt from bidding process for personal services provided by Julian Leal & authorization to pay bills
- C. Authorization to extend present Security Contract

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12. J.D. Salinas, Project Coordinator:
 - A. Appointments of members to the Public Responsibility Committee - MH/MR
 - B. Appointments of Special Commission - sale of land
13. Planning Department:
 - A. Subdivisions:
 1. Los Olivos Subdivision - Pct. 2
 2. Nela Subdivision - Pct. 3
 3. Shalom Subdivision - Pct. 4
 4. Ricardo Vargas Subdivision - Pct. 4
 - B. Release letter of credit:
 1. Villa-Rama Phase III - Pct. 3
 - C. Preliminary Plat Approval:
 1. Upper Valley Estates Subdivision - Pct. 3
14. Discussion & possible action on Santa Cruz Garden Subdivision
15. Purchasing Department:
 - A. Award bids:
 1. Anzaldua's Park Security - Pct. 3
 - B. Request to Advertise:
 1. Medical supplies - Health Department
 2. Gasoline & diesel fuel - Hidalgo County
 3. Pit-run caliche - Hidalgo County
 4. Heavy wall concrete culverts - Hidalgo County
 5. Uniforms - Sheriff's Department
16. Urban County:
 - A. City of Donna - Award bid - Environmental Engineers & Constructors of Austin, Texas
 - B. City of Elsa - Change Order No. 1
 - C. 1992 HOME Budget - Budget Amendment
 - D. 1993 HOME Budget - Budget Amendment
 - E. HOME - First-Time Homebuyer Contract Agreements & Letter of Commitment to Mortgage Company
 - F. Request to advertise on TCDP Contracts
 - G. Contract Budget modification contract No. 701015
 - H. HOME/Homeowner occupied Housing Rehab. Application
 - I. Approval of bills

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17. Office of Employment & Training: .
- A. Concur with adjustment of Fiscal Year 93-94 Summer Youth IIB Funds
 - B. Concur with Revision of Evaluation Criteria & Instrument
 - C. Approval to use county facility for storage
 - D. Approval to re-roof county building

Dated this the 04th day of May, 1994

R U I Z

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on MONDAY, MAY 09, 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

1. Award bid for oil & gas lease
2. Permit - City of Pharr
3. Consideration of release of easement & setting fee for release

Dated this the 04th day of May, 1994

BE IT REMEMBERED that on the 9TH day of
MAY, 1994, after due notice having been given, there was begun
and holden, a REGULAR 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:

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In the absence of the County Judge, the Honorable Abelardo "Lalo" Arcaute, 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 BILLS - County Auditor
General Fund - #98849 - #99079 - \$1,192,460.03
Special Revneue Fund - #97826 - #98036 - \$ 427,917.79
Trust and Agency Fund - # 4105 - # 4106 - \$ 375.34
Enterprise Fund - # 1891 - # 1894 - \$ 1,395.86
(SEE "EXHIBIT A")

ITEM 2. APPROVAL OF ATTORNEY'S FEES - \$61,630.00
(SEE "EXHIBIT B")

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:
A. Justice of the Peace:
1. Rosa E. Trevino - \$ 3,902.94 - January
2. Rene Torres - \$10,398.75 - February
3. Ruben Ramos - \$ 3,761.57 - April
B. Anzaldua's Park - \$27,120.00 - April
(SEE "EXHIBIT C")

ITEM 4. PLANNING DEPARTMENT:
A. Subdivisions:
1. Resubdivision of Lot 2 Dale Mauldin Subd. - Pct. 1
2. Marpa Subdivision - Pct. 2
3. Sing's Subdivision - Pct. 2

4/A/1

The Resubdivision of Lot 2 Dale Mauldin Subdivision is located on the southwest corner of F.M. 1015 and U.S. Hwy. 83, City of Weslaco, Precinct One.
(SEE "EXHIBIT D")

4/A/2

Marpa Subdivision is located approximately 990 feet

north of El Dora Road, on the east side of U.S. 281 Expressway Frontage Road, City of Pharr, Precinct Two.
(SEE "EXHIBIT D")

4/A/3

Sing's Subdivision is located between El Rancho Blanco Road and Hall Acres Road, on the west side of U.S. Highway 281, City of Pharr, Precinct Two.
(SEE "EXHIBIT D")

ITEM 5. PERMITS:

- A. North Alamo Water Supply - Pct. 1
- B. Southwestern Bell Telephone - Pct. 4

5/A

In Precinct One, North Alamo Water Supply is requesting a permit for a two inch PVC water line within Country Village Subdivision and also to cross Mile 15 North 1/4 mile west of F.M. 88. They are also requesting an eight inch PVC water line to go along Mile 12 1/2 North, beginning on the west side of Mile 6 West and going east for 5321 feet.
(SEE "EXHIBIT E")

5/B

In Precinct Four, Southwestern Bell Telephone is requesting a permit to lay a cable along Mile 17 1/2 Mile Road, beginning at North 3rd Street and going west for 188 feet.
(SEE "EXHIBIT E")

ITEM 6. INTERNAL LINE ITEM TRANSFERS:

- A. J.P. Pct. 5, Pl. 1 (E. Jackson) - \$280.00
- B. County Judge - \$500.00
- C. General Government (Revenue Sharing) - \$800.00
- D. Adult Probation Restitution Center (State Funds) - \$200.00
- E. Juvenile Probation (#4-101-423-300) - \$1,765.00
- F. Juvenile Probation (#4-101-423-610) - \$1,211.00
- G. Health Department (Immunization Division Grant) - \$2,600.00
- H. Health Department (TB Elimination Grant) - \$2,000.00
- I. Health Department (Clinics) - \$4,000.00
- J. Pct. #2 (Paved/Unpaved) - \$3,000.00
- K. Pct. #2 (Parks) - \$400.00
- L. Pct. #3 (Enterprise Fund) - \$650.00
- M. Pct. #3 (Paved/Unpaved) - \$5,122.50
- N. Election - \$1,630.00
- O. Buildings & Grounds - \$5,000.00

(SEE "EXHIBIT F")

Commissioner Arcaute asked the Commissioners if they had any questions and/or comments regarding the items on the Consent Agenda, there being none, a motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to approve the Consent Agenda, as presented.

MOTION CARRIED.
SEE "EXHIBITS A-F"

REGULAR AGENDA
=====

ITEM 3. PROCLAMATION DESIGNATING FOSTER CARE MONTH - Child Protective Services

Ms. Webster, from the Child Protective Services, came before the Court requesting approval of a proclamation designating May, as "Foster Care Month". Commissioner Arcaute then proceeded to read the proclamation, after which Commissioner Camarillo said a few words of thanks to the foster parents and this was followed by the same by Commissioner Rosel. Roberto Robles, also from the Child Protective Services, then proceeded to introduce some foster parents, who were in Court this morning. A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve the proclamation, as presented.

MOTION CARRIED.
SEE "EXHIBIT G"

ITEM 4. DELEGATION FROM RESIDENTS OF TRES COLONIAS - Juventino Osuna

Juventino Osuna came before the Commissioners' Court representing the residents of Tres Colonias. He had brought a petition from the residents with regards to the need for street lights, street signs, fire hydrants filthy lots and drainage. He then went into an in depth explanation for the need for these services, with an added request for the Commission to look into the parking lot of a nearby bar, which has been one of the causes for traffic accidents, in the area. Commissioner Camarillo then thanked the residents for their petition and he stated that with regards to drainage, the nearby system was inadequate, due to the homes already be established and the streets already being paved. This he explained would not allow the water to soak and/or drain properly, but he did believe there was a solution to this problem. He then addressed the need for street lights, by saying that this was not a service that was provided by the County, since it would be very costly to provide this service to the whole County. He could, however, assist

with traffic signs, both in street names and speed zones. With respect to the dirty lots, he stated that if the residents could acquire the names of the lot owners, these could be submitted to the Sanitation Department. Commissioner Camarillo also stated that he would send the highway patrol to the bar, in question, and let them know of the hazard in the area. After further comments, no action was taken on this item.

NO ACTION.
SEE "EXHIBIT H"

Commissioner Arcaute then stated that he was bringing an item before the Court, that was not on the agenda. This item, however, had been on the agenda the previous week, and this Commissioners' Court had stated that they would authorize a title search, on a road that had been in use by the residents for some forty years, in the Precinct Three area. Mr. Oscar Garza then addressed the Court by saying that a fence had been built, on a road right of way. His concern was that his mother lived on the other side of the fence and being that she had heart problems, he was concerned that in case of an emergency, an ambulance would not be allowed to get to her. Commissioner Rosel then asked if it would be possible to issue a temporary injunction on the people who had built the fence, until the matter is resolved. Travis Heister, County Legal Counsel, then responded that in order to do that, this Commissioners' Court would have to file a petition in a District Court and this could not be done without any facts, such as this title search. Commissioner Sanchez also inquired if maybe they could send the highway patrol to alleviate the problem there and Mr. Heister stated that the highway patrol would have no authority there until we found out who the property belonged to. The discussion then followed, as to what immediate relief could be acquired, at this time. Commissioner Rosel then stated that the residents, in the area, could possibly go through a Justice of the Peace and get a peace bond.

NO ACTION.

THE COUNTY JUDGE JOINED THE MEETING AT THIS POINT.

ITEM 1. EXECUTIVE SESSION:

- A. Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071, to discuss the following matter:
 - 1. Litigation:
 - a. Settlement of Carrasco vs. Casso

The County Judge and Commissioners went into Executive Session accompanied by Mr. Travis Heister, County Legal Counsel, and Mr. Fortunato Benavides. The Executive Session lasted approximately twenty minutes.

NO ACTION.

ITEM 2. OPEN SESSION:

A. Litigation:

1. Settlement of Carrasco vs. Casso

Judge Ruiz informed the Court on the settlement of this case. He stated that initially there had been a lawsuit filed in the U.S. District Courts, basically stating that the constitutional rights of prisoners were being violated because, they were spending too much time in jail before having counsel appointed. The County Judge then said that the settlement was, that during the arraignment process, the JP or Magistrate, would give notice to the individual of the appointments administrator, at which time they would be briefed on how to go about in getting a court appointed attorney. He added that this appointments administrator was already on staff and this process would come into effect after an individual has been in jail ten days, on a misdemeanor charge, and fifteen days on a felony charge. Judge Ruiz added that there will be an application for indigency that will be used and the appointments administrator will be in charge of processing the applications, through the Court system. This system will be in its initial stages until the 15th of October, when it will become a permanent step in the criminal process. The County Judge also stated that meetings will be held with the JPs and Magistrates, to inform them of the process and encourage them to use this particular process. Mr. Fortunato Benavides then added some other points that were covered in the settlement, with respect to the court appointment process and payment of attorneys. He also stated that the Cities of Weslaco, McAllen and Hidalgo had all approved this settlement and have agreed to pay part of the attorneys' fees. Mr. Raymond Gill then added that the Hidalgo County Board of Judges has approved an order that states that the court appointed attorney will be required to visit the client within a seventy-two hour period. Mr. Benavides then reported that what Mr. Gill stated was not part of the settlement agreement. Judge Ruiz then indicated that he felt that through this settlement the system will be greatly improved and it also presented some problems that will hopefully be addressed in the near future. A motion was then made by Commissioner Rosel and seconded by Commissioner Arcaute, to authorize the settlement of Carrasco vs Casso, as presented.

MOTION CARRIED.

A motion was made by Commissioner Arcaute and seconded by Commissioner Camarillo, to authorize the payment of fees by the County of Hidalgo, in the amount of \$10,000.00, in attorneys' fees and \$892.00 in court costs, out of the \$20,000.00 with the remainder being paid by the Cities of Weslaco, McAllen and the City of Hidalgo, on an equal basis; also authorize the County Judge to sign the settlement.

MOTION CARRIED.

ITEM 5. APPROVAL OF ADDENDUM TO PERSONNEL POLICY MANUAL - Federal Family & Medical Leave Act

Travis Heister informed the Court that this was in reference to a requirement of Federal Legislation and it required every entity of a certain size, to adopt a Family and Medical Leave Act (FMLA). He stated that this was basically a statute which stated that every employee who had been employed for a twelve month period was entitled to twelve work weeks of leave, without loss of any benefits accrued. He then went on to state what the leave could be taken for and other points of interest in the policy. He added that this did not entitle an employee to take a paid leave for this twelve week period, but was encouraged to take all the paid leave, both vacation and sick, before the FMLA entitlement could be used. Steve Austin, the County Auditor, then pointed out that he saw a problem with the twelve-month period, as stated on the policy, and he felt that this should be specified, more clearly. Mr. Heister then stated that the clause meant within a calendar year, which he felt was the easiest way to do it. Commissioner Sanchez then asked what would happen if the employee took his/her leave late in the year and Judge Ruiz responded that it would go through the following calendar year. Mr. Heister then stated that if this was done then an employee could possibly take a longer leave. The discussion then continued with the Commission reaching a solution by saying that "the twelve month period, for which the twelve-week leave entitlement occurs, shall begin on the date that the employee requests the family leave". The County Auditor then questioned another part of the policy, with regards to sick and vacation leave, being used in conjunction with the FMLA entitlement and the County Judge stated that this clause only meant that, when taken together, the sick and vacation leave, would become a part of the twelve week leave. He did, however, state that the sentence which stated that "an employee should be paid for any unused sick" leave, should be omitted, since the County does not pay out for sick leave. Judge Ruiz also said that there were certain clauses in this policy that would constitute some changes within the County Personnel Policies. The discussion then continued, with Mr. Austin going back to the clause regarding the sick and vacation leave, this was followed by a motion by Commissioner Sanchez and a second by Commissioner Arcaute, to adopt the Federal Family and Medical Leave Policy, as amended.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 6. CONSIDERATION OF REQUEST FROM KATIE PEARSON KLEIN

Judge Ruiz informed the Court that this was a request, from Ms. Katie Pearson Klein, a local Attorney, with regards to the designation of certain areas, within the County Courthouse as "Smoking Areas". The County Judge said that the County of Hidalgo did not have a cigarette or cigar smoking policy, for any of its buildings. He felt that they

should get one of the County employees to go through the Courthouse and possibly find a solution, by finding a designated place for smokers. He did want to get the message out that this Commissioners' Court did want a smoking policy and smoking will not be allowed in the large portions of public buildings. Commissioner Sanchez then stated that he concurred with this; this was followed with a discussion, as to what location would be most ideal to designate as a "Smoking Area", with Commissioner Arcaute saying that a well ventilated room, would be proper. Judge Ruiz then said that this item would be brought back to Court at a later time to properly address this problem.

NO ACTION.
SEE "EXHIBIT J"

ITEM 7. REQUEST TO ADVERTISE FOR THE EMPLOYMENT OF A VETERANS' SERVICE OFFICER

The County Judge explained that Rudy Villarreal has been the Veterans' Service Officer, on a temporary basis, for a number of months, but the law clearly states that this Commissioners' Court has to advertise for the employment of a permanent Veterans' Service Officer. He was at this time requesting that this advertisement be made, in accordance with the law, which was twenty-one days. A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to authorize the advertising for the employment of Veterans' Service Officer, for the County of Hidalgo.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 8. BUDGET AMENDMENTS:
A. 275th District Court
B. 370th District Court
C. Library System

8/A

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize a budget amendment of \$4,000.00, for the 275th District Court, for court costs.

MOTION CARRIED.
SEE "EXHIBIT L"

8/B

After a plea from State District Judge Fidencio Guerra, Jr., for a budget amendment, a motion was made by Commissioner Sanchez

and seconded by Commissioner Rosel, to approve a budget amendment of \$10,000.00, for the 370th District Court, as presented.

MOTION CARRIED.
SEE "EXHIBIT L"

8/C

NO ACTION.
SEE "EXHIBIT L"

ITEM 9. CONSIDERATION OF MEMBERSHIP TO NATIONAL ASSOCIATION OF COUNTIES.

After a discussion in which the Commission, indicated that they did not feel that they should pay for a membership for this association since the County is already a member in the Texas Association of Counties, no action was taken.

NO ACTION.
SEE "EXHIBIT M"

ITEM 10. PCT. #1:

A. Authorization to enter into an Interlocal Agreement with Weslaco ISD & County of Hidalgo

Commissioner Sanchez explained that this was for the paving of a portion of Mile 9 Road, immediately east of F.M. 1015 and it would allow for easier access into the school. The School District would be providing \$20,000.00 for road materials and the Precinct would be doing the work. A discussion then ensued regarding the agreement which specified a twenty foot wide street and Commissioner Sanchez stated that he would build it at twenty-two feet. He also said that the Weslaco School "has been very helpful, to the Precinct, as far as, working together, and with the City". He then made a motion, which was seconded by Commissioner Arcaute, to approve an interlocal cooperative agreement between the County of Hidalgo and the Weslaco Independent School District for the paving of a portion of Mile 9 Road.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 11. PCT. #3:

A. Approval of Change Order - Big D Lining System Co. - Enterprise Fund

- B. Authorization to exempt from bidding process for personal services provided by Julian Leal & authorization to pay bills
- C. Authorization to extend present Security Contract

11/A

Commissioner Rosel indicated that this was in reference to the lining, for the Penitas landfill. The change order was due to the estimated area, being wrong, and the amount of the change order was for an increase of \$490.00. The County Judge then stated that the actual amount of the increase was for \$2,595.82, which constituted the difference in tabulation, plus the \$490.00, which was the fee to repair the existing lining. A motion was then made by Commissioner Rosel and seconded by Commissioner Sanchez, to authorize two change orders, one in the amount of \$2,595.82 and the other for \$490.00, as presented.

MOTION CARRIED.
SEE "EXHIBIT O"

11/B

Commissioner Rosel informed the Court that as a result of the work that was being done at the landfill, he had had to hire a private hauler. He was at this time requesting that Julian Leal be exempt from the bidding procedure, under personal services and that this bill be paid. Judge Ruiz then asked him if this vendor owned and operated his own truck and Commissioner Rosel responded that he did. After a brief discussion, regarding what constituted personal services, a motion was made by Commissioner Rosel and seconded by Commissioner Arcaute to authorize an exemption from the bidding process, for personal services, provided by Julian Leal, as the owner and operated of one particular truck; the amount over the \$10,000.00 limit is \$3,078.01.

MOTION CARRIED.
SEE "EXHIBIT O"

11/C

Commissioner Rosel reported that he would like to extend the present security contract, until the new contract was awarded. The extension would be through May 15th, 1994. A motion was then made by Commissioner Rosel and seconded by Commissioners Camarillo and Sanchez, to extend an ongoing contract, with Quintanilla Security Services, through May 15th, 1994.

MOTION CARRIED.

ITEM 12. J.D. SALINAS, PROJECT COORDINATOR:

- A. Appointments of members to the Public Responsibility Committee - MH/MR
- B. Appointments of Special Commission - sale of land

12/A

Mr. Marion Shirah came before the Court to present the nominees to the MH/MR Public Responsibility Committee; these were Ms. Angie Rhoads, from Weslaco, Ms. Tiva Sanchez, from McAllen and Ms. Ardis Kowalsky, from Mission. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to appoint Ms. Angie Rhoads, Ms. Tiva Sanchez and Ms. Ardis Kowalski, to the Public Responsibility Committee, of MH/MR.

MOTION CARRIED.
SEE "EXHIBIT P"

12/B

Judge Ruiz informed the Court that this was with regards to the land that had been confiscated, by the Narcotic Drug Task Force and it needed to be sold through special commissioner. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to appoint Vona Walker, as special commissioner, for this sale.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 13. PLANNING DEPARTMENT:

A. Subdivisions:

1. Los Olivos Subdivision - Pct. 2
2. Nela Subdivision - Pct. 3
3. Shalom Subdivision - Pct. 4
4. Ricardo Vargas Subdivision - Pct. 4

B. Release letter of credit:

1. Villa-Rama Phase III - Pct. 3

C. Preliminary Plat Approval:

1. Upper Valley Estates Subdivision - Pct. 3

13/A/1

A motion was made by Commissioner Arcaute and seconded by Commissioner Camarillo, to approve the plat of Los Olivos Subdivision which is located between Loreta Drive and Reba Drive, on the north side of Denny Drive, City of Pharr, Precinct Two.

MOTION CARRIED.
SEE "EXHIBIT Q"

13/A/2

A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to approve the map Nela Subdivision which is located 343 feet south from Mile 5 Road, on the west side of North Taylor Road, City of McAllen, Precinct Four.

MOTION CARRIED.

SEE "EXHIBIT Q"

13/A/3

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve the plat of Shalom Subdivision which is located 1320 feet east from Sugar Road, on the north side of Alberta Road, City of Edinburg, Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT Q"

13/A/4

A motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to approve the plat of Ricardo Vargas Subdivision, which is located on the southeast corner of Ingle Road and Terry Road, in the rural area of the County, in Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT Q"

13/B

A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to concur, with the County Planning Department in the release of a letter of credit in the amount of \$37,629.00, for Villa-Rama Phase III Subdivision, which is located approximately 2150 feet South Expressway 83, on the west side of Showers Road, City of Mission, Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT Q"

13/C

After a question, from the County Judge, regarding a long cul-de-sac within this subdivision, a motion was made by Commissioner Rosel and seconded by Commissioner Rosel, to TABLE the preliminary approval of the plat of Upper Valley Estates Subdivision, which is located 3 miles north of U.S. Hwy. 83, between Gills Road and Tom Gill Road, in the rural area of the County, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT Q"

ITEM 14. DISCUSSION & POSSIBLE ACTION ON SANTA CRUZ GARDEN SUBDIVISION

Emilio Garcia, the Chief Planner, explained that he would like to conduct this discussion, in Spanish, due to the majority of the audience that had in interest in this item, did not understand English. Mr. Garcia stated that the concern was that these residents had been sold a five acre tract, with no provision of roads and/or water. The

County Judge then asked Mr. Garcia if they had presented their problem with the Attorney General's Office and after a brief discussion, Mr. Heister stated that it may be barred by the statute of limitations. One of the residents stated that all they wanted was to make their road a public road, in order to be able to acquire utilities. Commissioner Sanchez then explained to them how the acceptance of this road would take the responsibility away from the developer. The discussion then went back to the statute of limitations, and the County Judge recommended that the five families get together and share in the cost in getting this property subdivided properly. After further discussion, NO ACTION was taken on this item.

MOTION CARRIED.
SEE "EXHIBIT R"

ITEM 15. PURCHASING DEPARTMENT:

- A. Award bids:
 - 1. Anzaldua's Park Security - Pct. 3
- B. Request to Advertise:
 - 1. Medical Supplies - Health Department
 - 2. Gasoline & diesel fuel - Hidalgo County
 - 3. Pit-run caliche - Hidalgo County
 - 4. Heavy wall concrete culverts - Hidalgo County
 - 5. Uniforms - Sheriff's Department

15/A

Mary Maldonado, the Purchasing Agent, reported that she had received two bids for park security, at Anzaldua's Park. She also stated that she had brought this item before the Court and it had been taken under advisement. After further research and at the request of the Commissioner, for Precinct Three, she was at this time recommending that the bid be awarded to the low bidder, be-it ARI, at \$6.50 per hour per officer and \$10.00 per day for patrol car. A motion was then made by Commissioner Rosel and seconded by Commissioner Camarillo, to award low bid to ARI, of McAllen, a security company owned by Leo Longoria; contract to begin May 16th and it is for one year; \$6.50 per hour for security and \$10.00 per day for patrol.

MOTION CARRIED.
SEE "EXHIBIT S"

15/B

A motion was made by Commissioner Sanchez and seconded by Commissioner Camarillo, to authorize the advertising for bids for the purchase of medical supplies, for the Health Department, gasoline and diesel, for County wide, pit-run caliche, for County wide, heavy-wall concrete culverts, for County wide and uniforms, for the Sheriff's Department; bid opening June 1st, bid award June 7th.

MOTION CARRIED.
SEE "EXHIBIT S"

ITEM 16. URBAN COUNTY:

- A. City of Donna - Award bid - Environmental Engineers & Constructors of Austin, Texas
- B. City of Elsa - Change Order No. 1
- C. 1992 HOME Budget - Budget Amendment
- D. 1993 HOME Budget - Budget Amendment
- E. HOME - First-time Homebuyer Contract Agreements & Letter of Commitment to Mortgage Company
- F. Request to advertise on TCDP Contract
- G. Contract Budget modification contract No. 701015
- H. HOME/Homeowner occupied Housing Rehab Application
- I. Approval of bills

16/A

Anthony Covacevich informed the Court that the City of Donna was requesting to award bid to the low bidder being Environmental Engineers and Constructors of Austin, at a low bid of \$29,785.00. A motion was made by Commissioner Sanchez and seconded by Commissioners Arcaute and Camarillo, to award low bid to Environmental Engineers & Constructors of Austin; contract amount \$29,785.00, with the City of Donna and the County of Hidalgo.

MOTION CARRIED.
SEE "EXHIBIT T"

16/B

The City of Elsa was asking approval of change order number one, which would decrease the contract with J.L. Williams Construction, Inc., by \$19,072.50. The change was due to the removal of a valley gutter and do an inverted pavement in its place. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve change order no. one, with J.L. Williams Construction, which is a decrease of \$19,072.50.

MOTION CARRIED.
SEE "EXHIBIT T"

16/C

Mr. Covacevich explained that under the 1992 HOME budget, the proposed budget amendment was reduce the First-Time Homebuyer Program, due to a mathematical error; Homeowner Rehab, was also being reduced for the same reason; rental rehab was being increased by an amount of \$3,362.66 and General Administration was being increased from \$87,500.00 to \$101,137.34. A motion was then made by Commissioner Rosel and seconded by Commissioner Arcaute, to approve budget amendments to the 1992 HOME budget, as presented.

dification for contract #701015, as presented.

MOTION CARRIED.
SEE "EXHIBIT T"

16/H

Mr. Covacevich reported that he had two more housing rehab applications for approval, one from Flor Ramos and the other from Jose Silguero. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve an application from Flor Ramos, of Edinburg, and Jose Silguero, from Mercedes, for the rehab program under the HOME Homeowner Occupied Housing Rehab application.

MOTION CARRIED.
SEE "EXHIBIT T"

16/I

A motion was made by Commissioner Arcaute and seconded by Commissioner Camarillo, to approve the 1990 Urban County bill #6034 in the amount of \$38,016.20; the 1993 Urban County bills #6035 thru #6043 totaling \$140,073.00; the HOME Program bills #6044 thru #6051 totaling \$31,727.00. The total Urban County memorandum to be approved is \$209,816.20.

MOTION CARRIED.
SEE "EXHIBIT T"

ITEM 17. OFFICE OF EMPLOYMENT & TRAINING:

- A. Concur with adjustment of Fiscal Year 93-94 Summer Youth IIB Funds
- B. Concur with Revision of Evaluation Criteria & Instrument
- C. Approval to use County facility for storage
- D. Approval to re-roof county building

17/A

Sheila Pankratz, Interim Division Support Manager, for OET, came before the Court to request that they concur with the recommendation of the PIC, that the Summer Youth II-B programs be adjusted. The adjustment is that the funds that were originally awarded to LULAC be transferred to Youth Opportunities Unlimited (Y.O.U.), being that LULAC has been unable to meet performance standards. After a brief discussion regarding the reason for the transfer, Commissioner Camarillo stated that he had no problem in accepting this recommendation, but he wanted to be sure that LULAC had been notified that these funds were going to be deobligated, from their program. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to concur with the Private Industry Council's adjustment of fiscal year '93-94 Summer Youth II-B funds, to rescind the action of this Commissioners' Court to actually not award the LULAC funds and revert that money to the Y.O.U.

program; these funds totaling \$34,920.00; plus add \$76,132.10 to the work experience line item, which will increase our participants by 74.

MOTION CARRIED.
SEE "EXHIBIT U"

17/B

Ms. Pankratz indicated that during the PIC Board's last meeting there had been some difficulties, whereby they recommended that the staff come up with a new evaluation criteria instrument. She stated that the proposed instrument would allow for the person reviewing the proposal to look at past performances and cost effectiveness. The County Judge then asked her how a new company would be able to demonstrate effectiveness and Ms. Pankratz responded that this item only received 10 points, and most of the present companies were already performing below level, so even they would not be receiving all of the point allotment. A discussion then ensued with respect of finding an equalizer between present programs and new programs. After further discussion regarding the point allocation on each item and the total number of points that could possibly be accumulated on this instrument, a motion was made by Commissioner Sanchez and seconded by Commissioners Rosel and Arcaute, to authorize the concurrence of the revision of the evaluation and criteria instrument proposal.

MOTION CARRIED.
SEE "EXHIBIT U"

17/D

Mr. Bocho Garcia OET Administrative Assistant, came before the Court requesting the use of the building on 1212 S. 25th St., in Edinburg. The only stipulation is that they be allowed occupy the building for a period of at least two years, if they replace the roof, which is in need of repair. He explained that they had already gone through procurement procedures and a vendor had been chosen, be-it Trevino's Roofing and this will be paid by JTPA. A motion was then made by Commissioner Camarillo and seconded by Commissioner Sanchez, to authorize JTPA, through its Office of Employment and Training, to repair the roof at 1212 S. 25th Street, in lieu of the usage of the building, for a period of two years.

MOTION CARRIED.
SEE "EXHIBIT U"

17/C

Judge Ruiz then stated that the Office of Employment and Training would like to use the San Carlos facility for storage of their JTPA records. A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to authorize the use of the San Carlos facility for storage for the Office of Employment and Training.

MOTION CARRIED.
SEE "EXHIBIT U"

There being no further business to come before the Court, a motion was made by Commissioner Sanchez and seconded by Commissioners Arcaute and Camarillo, that this meeting of Commissioners' Court be hereby adjourned.

MOTION CARRIED.

DRAINAGE DISTRICT #1
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The Honorable J. Edgar Ruiz, County Judge, called the Drainage District meeting to order, whereupon the following proceedings were had to-wit:

ITEM 1. AWARD BID FOR OIL & GAS LEASE

Vona Walker informed the Court that Quisto Energy had submitted a bid for \$50.00 per acre, on a two year lease, plus 1/4 of the royalty. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to award bid for proposal submitted for oil and gas lease of 15.14 acres, of Part Lots 1, 2, 3 & 10, Block 15, John Closner; highest bidder being Quisto Energy Corporation.

MOTION CARRIED.
SEE "EXHIBIT V"

ITEM 2. PERMIT - City of Pharr

A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, for Villa Del North Subdivision, and its a twenty-four inch outlet going into an Irrigation District Two ditch and it will drain 27.5 acres.

MOTION CARRIED.
SEE "EXHIBIT W"

ITEM 3. CONSIDERATION OF RELEASE OF EASEMENT & SETTING FEE FOR RELEASE

Ms. Walker indicated that this was a specific instance, but there were times when easements, that had been bought by the County

were released, after it was discovered that they were not needed. In this case, it involved an easement, which was approximately 3.749 acres, on the Arroyo Colorado, adjacent to the Cameron County line. The original property owner has come to request that this easement be reverted back to him. Ms. Walker was asking that a fee be set for the release of easements, being that the easement was originally paid for through County funds. Judge Ruiz then established that the request was for some kind of administrative fee and this was followed by a discussion regarding what the fee should be and a recommendation was made that it should be \$1,000.00. The question then came up as to if the District was setting policy or if the fee was just for this particular request. After further discussion, the District decided not to take any action on this item, until it could be researched further.

NO ACTION.
SEE "EXHIBIT X"

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.

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 9TH day of MAY, 1994.

ATTEST:

WILLIAM R. LEO, County Clerk
Hidalgo County, Texas

By: Jennifer Castillo
Jennifer Castillo, Deputy

