

R U I Z

Jenny
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, MAY 17, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Minutes - March 29, 1994
- April 05, 1994
2. Approval of Bills - County Auditor
3. Approval of Attorney's Fees - \$ 735.00
4. Approval of Monthly Fee Reports:
 - A. District Attorney:
 1. Total Receipts for this month - \$ 79,494.91
 2. Total Disbursements for this month - \$ 80,454.96
 3. Money directly to County Treasurer - \$ 290.00
5. Approval of Court Reporter's Fees:
 - A. Jennifer K. O'Neal - \$ 148.00
6. Request for Voting Machines:
 - A. City of Edinburg - 16 machines
 - B. City of Pharr - 21 machines
7. Planning Department:
 - A. Freeland Subdivision - Pct. 2
 - B. P.S.J.A. ISD, Pharr High School Subdivision - Pct. 2
 - C. Savannah Park Lots 4a & 5a - Pct. 2
 - D. Springfield Subdivision Phase I (Commercial) - Pct. 3
 - E. G.G. Subdivision No.1 - Pct. 4
 - F. Jackson Manor Unit II Subdivision - Pct. 4
 - G. Valley Downs Subdivision Phase 2 - Pct. 4

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HIDALGO COUNTY JUDGE

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8. Internal Line Item Transfers:
 - A. Adult Probation
 - B. Sheriff's Investigation Fund
 - C. Human Services
 - D. Adult Probation Restitution Center (Boot Camp)
 - E. J.P. Pct. 5, Pl.1 (E. Jackson)
 - F. J.P. Pct. 1, Pl.1 (Adan Caballero)
 - G. District Clerk
 - H. Computer Department
 - I. Financial Disruption Task Force
 - J. County Judge
 - K. Indigent Health Care
 - L. Constable Investigation Fund - Pct.5

9. Permits:
 - A. North Alamo Water Supply - Pct. 1 & 4
 - B. Southwestern Bell Telephone Co. - Pct. 4

Dated this the 12th day of May, 1994.

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1. Canvas votes for County Civil Service System
2. Order creating a County Civil Service System in Hidalgo County
3. Canvas votes for South Texas Independent School District
4. Tax Assessor/Collector:
 - A. Approval of Tax Refund:
 1. Equipment North 281 - \$ 11,098.58
 - B. Approval of Interlocal Cooperation Agreement for Tax Assessment & Collection
 - C. Authorization for Budget Amendment
5. Budget Amendments:
 - A. Election Expense
6. County Clerk:
 - A. Request to advertise for proposal for County Clerk Computer Consultants
 - B. Proposal for source code availability for County Clerk
7. Financial Disruption Task Force, J.D. Salinas:
 - A. Budget Amendment (decrease) - District Attorney
 - B. Budget Amendment - Sheriff
 - C. Authorization to submit grant application to the Texas Narcotic Control Program for the continuation of funding - Financial Disruption Task Force
8. To appropriate funds for Solid Waste Enforcement Program
9. Juvenile Probation Department:
 - A. Approval of Change Order
 - B. Consideration of budget amendment
 - C. Consideration of budget amendment for personnel & set salary
10. Library System:
 - A. Request for budget amendment
 - B. Consideration of request for computer system & amend budget
11. Human Services, Rudy De La Vina:
 - A. Consideration of loan transfer to access state funds
 - B. Consideration of budget amendment - Pauper Burials
12. Sheriff Department:
 - A. Amend budget for Detention Nurse

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HIDALGO COUNTY JUDGE

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13. Purchasing Department:
 - A. Award bid for backhoe loader - Pct. #2
14. Planning Department:
 - A. Subdivisions:
 1. Basham No. 26 Subdivision - Pct. 3
 2. Basham No. 33 Subdivision - Pct. 3
 3. Doffing Acres Subdivision - Pct. 3
 4. Amended map of Almanza Ranch - Pct. 4
 - B. Preliminary Plat Approval:
 1. Upper Valley Estates Subdivision - Pct. 3
 - C. Variance Request:
 1. Country Breeze Subdivision - Pct. 3
15. Urban County:
 - A. Saint Louis Groves Colonia
 - B. Public Hearing to solicit input on the County's proposed 1994 consolidated final statement for CDBG, HOME & ESG Funding
 - C. Resolution authorizing the submission of the 1994 Urban County Program consolidated final statement for CDBG, HOME & ESG Funding
 - D. HOME/Homeowner occupied Housing Rehab Application
 - E. HOME - First-time Homebuyer Contract Agreements & Letter of Commitment to Mortgage Company
 - F. Approval of Bills

Dated this the 12th day of May, 1994.

R U I Z

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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, MAY 17, 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 on sale of property & authorize County Judge to execute deed
2. Permit - Tim Gearhart/Doffing Acres Subdivision
3. Authorization to advertise for one (1) 1/2 ton pick-up & one (1) 3/4 ton pick-up truck
4. Consideration of release of easement & setting fee for release
5. Consideration of salary adjustments for Drainage District employees

Dated this the 12th day of May, 1994.

THE STATE OF TEXAS :

COUNTY OF HIDALGO :
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BE IT REMEMBERED that on the 17TH day of MAY, 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 to order, whereupon the following proceedings were had, to-wit:

The County Judge began by making the following announcements: He mentioned that there would be a Rural America Conference, at the Embassy Suites, with HUD, Farmers' Home and USDA, today and tomorrow.

HUD would be holding their annual Urban County Conference, Friday and Saturday at South Padre Island, at the Sheraton Hotel.

Judge Ruiz also mentioned that next week there would be a Texas Department of Transportation meeting, in which the Interstate Highway system, would be discussed. He added that he would not be present at next week's Commissioners' Court meeting, as he would be involved in these discussions. Commissioner Camarillo then stated that this was a very important meeting and that more members of this Commission should attend and Commissioner Arcaute concurred. Judge Ruiz then announced that there would be no meeting of Commissioners' Court the following week, so that the Commissioners can attend the Department of Transportation meeting, in Austin.

CONSENT AGENDA

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ITEM 1. APPROVAL OF MINUTES - March 29, 1994
April 05, 1994

ITEM 2. APPROVAL OF BILLS - County Auditor
General Fund - #99098 - #99329 - \$961,617.58
Special Revenue Fund - #98037 - #98354 - \$789,883.80
Trust and Agency Fund - # 4107 - # 4132 - \$729,996.29
Enterprise Fund - # 1895 - # 1902 - \$ 8,289.89
(SEE "EXHIBIT A")

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ITEM 3. APPROVAL OF ATTORNEYS' FEES - \$735.00
(SEE "EXHIBIT B")

ITEM 4. APPROVAL OF MONTHLY FEE REPORTS:

A. District Attorney:

- 1. Total Receipts for this month - \$79,494.91
- 2. Total Disbursements for this month - \$80,454.96
- 3. Money directly to County Treasurer - \$ 290.00

(SEE "EXHIBIT C")

ITEM 5. APPROVAL OF COURT REPORTERS'S FEES:

A. Jennifer K. O'Neal - \$148.00

(SEE "EXHIBIT D")

ITEM 6. REQUEST FOR VOTING MACHINES:

- A. City of Edinburg - 16 machines
- B. City of Pharr - 21 machines

(SEE "EXHIBIT E")

ITEM 7. PLANNING DEPARTMENT:

- A. Freeland Subdivision - Pct. 2
- B. P.S.J.A. ISD, Pharr High School Subdivision - Pct. 2
- C. Savannah Park Lots 4a & 5a - Pct. 2
- D. Springfield Subdivision Phase I (Commercial) - Pct. 3
- E. G.G. Subdivision No. 1 - Pct. 4
- F. Jackson Manor Unit II Subdivision - Pct. 4
- G. Valley Downs Subdivision Phase 2 - Pct. 4

7/B

P.S.J.A. ISD, Pharr High School Subdivision is located between Earling Road and El Dora Road and between "I" Raod and U.S. 281, City of Pharr, Precinct Two.

(SEE "EXHIBIT F")

7/D

Springfield Subdivision Phase I, (Commercial) is located on the southeast corner of Glasscock Road and F.M. 495, City of Mission, Precinct Three.

(SEE "EXHIBIT F")

7/E

G.G. Subdivision No. 1 is located approximately 792 feet south of Schunior Road on the west side of Hoehn Road, City of Edinburg, Precinct Four.
(SEE "EXHIBIT F")

7/F

Jackson Manor Unit II Subdivision is located on the northwest corner of Jackson Road and Sprague Avenue, City of Edinburg, Precinct Four.
(SEE "EXHIBIT F")

7/G

Valley Downs Subdivision Phase 2 is located on the northeast corner of Citation Avenue and Bold Ruler Avenue, City of Edinburg, Precinct Four.
(SEE "EXHIBIT F")

ITEM 8. INTERNAL LINE ITEM TRANSFERS:

- A. Adult Probation - \$1,272.00
- B. Sheriff's Investigation Fund - \$10,500.00
- C. Human Services - \$14,200.00
- D. Adult Probation Restitution Center (Boot Camp) - \$3,000.00
- E. J.P. Pct. 5, Pl. 1 (E. Jackson) - \$280.00
- F. J.P. Pct. 1, Pl. 1 (Adan Caballero) - \$300.00
- G. District Clerk - \$1,676.05
- H. Computer Department - \$2,100.00
- I. Financial Disruption Task Force - \$1,200.00
- J. County Judge - \$265.00
- K. Indigent Health Care - \$929,942.42
- L. Constable Investigation Fund - Pct. 5 - \$275.00

(SEE "EXHIBIT G")

ITEM 9. PERMITS:

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

9/A

In Precinct One, North Alamo Water Supply is requesting a permit for a two inch PVC water line to cross Mile 12 1/2 North, 1/4 mile east of F.M. 493; and in Precinct Four, they are requesting a permit for a four inch PVC water line along Terry Road, beginning at Davis road and going south 695 feet.
(SEE "EXHIBIT H")

9/B

In Precinct Four, Southwestern Bell Telephone Company is requesting a permit to lay cables as follows:

- 1) along Terry Road, beginning at Richardson Road and going north 2184 feet; and
- 2) along Brushline Road, beginning at F.M. 2812 and going south 1688 feet.

(SEE "EXHIBIT H")

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

MOTION CARRIED.
SEE "EXHIBITS A-H"

REGULAR AGENDA
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ITEM 1. CANVAS VOTES FOR COUNTY CIVIL SERVICE SYSTEM

Florestella Chavez, Elections Administrator, came before the Commissioners' Court and stated that for the Special Civil Service Election there was a total of 7803 votes cast, with 4902 voting in favor and 2878 voting against. A motion was then made by Commissioner Arcaute and seconded by Commissioner Sanchez, to accept the canvas of the votes, as presented.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 2. ORDER CREATING A COUNTY CIVIL SERVICE SYSTEM IN HIDALGO COUNTY

Judge Ruiz then announced that there was an order declaring the results of the election and creating a county civil service commission. He stated that this has been prepared by legal counsel. A discussion then ensued, with a question by Commissioner Arcaute, as to when this system would be implemented. A motion was then made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve the order, as presented.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 3. CANVAS VOTES FOR SOUTH TEXAS INDEPENDENT SCHOOL DISTRICT

The County Judge informed the Court that these were the results for the South Texas ISD election, which was run by the County, at their request. The results were as follows:

Precinct Two

Octaviano "Tony" Gonzalez - 2351
Tomas Thomas - 677

Precinct Four

Eduardo "Ed" Gonzalez - 2130

A motion was then made by Commissioner Arcaute and seconded by Commissioner Rosel, to canvas the votes for the South Texas Independent School District, as presented.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 4. TAX ASSESSOR/COLLECTOR:

- A. Approval of Tax Refund:
1. Equipment North 281 - \$11,098.58
B. Approval of Interlocal Cooperation Agreement for Tax Assessment & Collection
C. Authorization for Budget Amendment

4/A

A motion was made by Commissioner Rosel and seconded by Commissioners Arcaute and Sanchez, to approve a tax refund to Equipment North 281, of \$11,098.58.

MOTION CARRIED.
SEE "EXHIBIT L"

4/B

Ciro Trevino, the Tax Assessor/Collector, came before the Court and stated that he had approached the Court previously about doing the tax collections for the Edinburg CISD. He added that they had held discussions concerning this and they had finally reached an agreement that was satisfactory to both parties. This agreement had been voted on by the School Board, at the regular meeting of May 10th and he was bringing it before Commissioners' Court for their approval. He then responded, to a question by Commissioner Rosel, by saying that the County would be charging a fee of 1%, not to exceed \$150,000.00, for the first year. Commissioner Camarillo then asked him if this would pose an overloading problem, with his computer system and Mr. Trevino responded that he did not see a problem with that, since he had purchased a new computer system last year and that he would not be bring-

ing this before Commissioners' Court if he felt that it could not be handled, by his department. The discussion continued with regards to the 1% and the County Judge asked him if this would set precedence, for other entities who would want the same type of agreement. Mr. Trevino responded that this figure would be calculated based on taxes that are collected. Judge Ruiz then asked how this would affect the delinquent tax attorney and Mr. Trevino stated that the School District is currently using the same tax attorney as the County, so there was not problem at this time. After further discussion, a motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to approve an interlocal agreement between the County of Hidalgo and the Edinburg Independent School District, through its Tax Assessing Departments, to agree to collect the School's taxes, both delinquent and ad valorem and other wise, at a cost of 1% of all current and delinquent based taxes collected, from July 1st, 1994 through June 30th, 1995; this is a one year contract which renews automatically.

MOTION CARRIED.
SEE "EXHIBIT L"

4/C

Judge Ruiz then stated that there was a request for a budget amendment of \$19,816.50, this for the creation of a new position at a salary of \$25,000.00 annually and it would be pro-rated for a six month period. The budget amendment also includes supplies and computer maintenance. A motion was made by Commissioner Rosel and seconded by Commissioners Sanchez and Camarillo, to authorize a budget amendment of \$19,816.50, creating a new position and setting a salary of \$25,000.00 annually.

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 5. BUDGET AMENDMENTS:
A. Election Expense

A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to approve a \$26,000.00 budget amendment for election expenses, for the Special Election, called by Commissioners' Court, for Civil Service.

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 6. COUNTY CLERK:
A. Request to advertise for proposal for County Clerk Computer

B. Proposal for source code availability for County Clerk

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Judge Ruiz asked Travis Heister, the County Legal Counsel, to give a summary of what has taken place and the need for this action. Mr. Heister then stated that the County Clerk had come before the Commissioners' Court to request payment of some funds for services that had been rendered by the consulting firm, Titlewave, for the software for the scanning process. He stated that after some research they had found that there was a need for these services, and the County Clerk had been unable to employ anybody with the expertise that was needed to perform these services. He added that this system was state of the art, but the problem was that the County Clerk only had a license to use the software, with no rights to the source code, which was needed to be able to use this system. He stated that the request at this time was to advertise for proposals for services from people who would be able to supply the necessary personnel to assist the County Clerk, in performing the functions that were needed. The other request was to advertise for the right to access the source code, that is held in trust. Judge Ruiz then stated that there was a computer system in the County Clerk's Office, that had been advertised for and the original proposal did not provide access to the source code and Mr. Heister stated that it provided access only to the extent as the license permitted. This action would give the County firmer access rights to the source code. The County Judge then asked him what the time period of the current contract was and Mr. Heister responded that it was a two year contract and it would up for bids in a few months. The County Judge then questioned the advertising request for a source code, on a service that would have to be advertised in a few months. A discussion then ensued regarding the need for the source code, if a different company were to be awarded the low bid, in the future. It was during this discussion that the County Judge shifted to the other request and asked Mr. Heister if this firm had been rendering these types of services and if they were going to have to be reimbursed for them and Mr. Heister responded that they were rendering these services, but we would not be responsible for payment, since they were performing these services on their own. Judge Ruiz then stated that they would need to advertise for these services, even though it appeared that they were sole source.

Judge Ruiz then went on to the second request, which was to advertise for labor and Mr. Heister stated that it was his understanding that the County Clerk could not find people, that were "trainable" to work with this system. This response resulted in a discussion, in which the County Judge stated that he felt that the County had purchased a computer system, "that has been dysfunctional..., not only have we bought a computer service, now we're buying the source code and now we're buying the people to run it. So, it seems like, it's 100% operationed private". The discussion then continued with Commissioner Sanchez asking if at this time they would only be asking for proposals and Judge Ruiz answered that this would give them twenty-one days to see what was going on, with the system. After further discussion, a motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize two advertisings for bids, one for a proposal for a source

code availability for County Clerk, within the system that the County Clerk has right now and another proposal for County Clerk computer consultants, that will be troubleshooting the system, training, assisting, archiving, backing-up, inputting, etc.; bid opening June 8th, June 13th, to award.

MOTION CARRIED.
SEE "EXHIBIT N"

- ITEM 7. FINANCIAL DISRUPTION TASK FORCE, J.D. Salinas:
- A. Budget Amendment (decrease) - District Attorney
 - B. Budget Amendment - Sheriff
 - C. Authorization to submit grant application to the Texas Narcotic Control Program for the continuation of funding - Financial Disruption Task Force

7/A&B

J.D. Salinas came before the Commissioners' Court to request budget amendments, in both the District Attorney's Office and the Sheriff's Department. The budget amendments were basically the transferring of \$33,723.00, from the District Attorney's grant budget to the Sheriff's grant budget, under the Financial Disruption Task Force Grant. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to authorize a budget amendment, budget transfer of \$33,723.00, within the Financial Disruption Task Force budget.

MOTION CARRIED.
SEE "EXHIBIT O"

7/C

Mr. Salinas requested permission to submit an application for the fourth year of funding, for the HIDTA (High Intensity Drug Trafficking Area) Grant, under the Financial Disruption Task Force. He stated that this was 100% funded by the Texas Narcotic Control Program and it was overseen by the Governor's Office. This grant would fund four investigators, one assistant District Attorney and one clerk-analyst, for one year, as well as, provide for equipment rental and supplies. The amount of the grant is \$744,452.00 and Mr. Salinas indicated that the amount being requested this year was more than the previous year, because he was allowing for a salary increase, if it was allowable and for the purchase of vehicles versus the leasing of same. A motion was then made by Commissioner Sanchez and seconded by Commissioner Arcaute, to authorize the submittal of the grant application, as presented.

MOTION CARRIED.
SEE "EXHIBIT O"

ITEM 8. TO APPROPRIATE FUNDS FOR SOLID WASTE ENFORCEMENT PROGRAM

Luis Garza, Project Coordinator, appeared to request authorization to appropriate the local match, of \$38,136.31. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to authorize the appropriation of funds, totaling \$38,136.31, as presented.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 9. JUVENILE PROBATION DEPARTMENT:

- A. Approval of Change Order
- B. Consideration of budget amendment
- C. Consideration of budget amendment for personnel & set salary

9/A&B

Buddy Silva, Juvenile Probation Director, came before the Commissioners' Court requesting approval of a change order and a budget amendment, in the amount of \$7,200.00. The change order was for a chain link fence and the repair and repainting of windows and door frames on the exterior of the building. A motion was then made by Commissioner Rosel and seconded by Commissioner Sanchez, to approve the change order and authorize a budget amendment, from the General Fund, of \$7,200.00.

MOTION CARRIED.
SEE "EXHIBIT Q"

9/C

Mr. Silva then requested a budget amendment, in order to be able to employ six additional child care workers. This request was due to the expansion, of the center, and the number of the kids that could be held at the Juvenile Detention Center. In response to a question, from the County Judge, Mr. Silva stated that the annual salary of these workers would be \$12,500.00, plus fringes, but he was at this time presenting a six month budget, by pro-rating the salaries, for the remainder of this year. Judge Ruiz then asked if there would be any additional costs that would require a budget amendment, such as food, medical care, etc., and Mr. Silva said that he felt that his current budget would be able to handle those expenses. After a brief discussion, a motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize the establishing of six new juvenile detention officers, at a salary of \$12,500.00, annually, and approving a budget amendment of \$59,589.00, for said salaries and fringes.

MOTION CARRIED.
SEE "EXHIBIT Q"

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ITEM 10.

LIBRARY SYSTEM:

- A. Request for budget amendment
- B. Consideration of request for computer system and amend budget

Bill McGee, Library System Coordinator, approached the podium and requested a budget amendment of \$2,285.00. The budget amendment is to be used for building rental, printing, advertising and travel. He also had a request for an additional budget amendment of \$28,000.00, in order to be able to purchase some type of computer system, in order to better maintain their database. Judge Ruiz then informed the Court that Mr. McGee had attended most all of the budget workshops, in the past few years and had repeatedly asked for funding for a computer system, and he felt that this was badly needed for the County and he was requesting that both these requests be approved. A motion was made by Commissioner Arcaute and seconded by Judge Ruiz, for the sake of discussion. Commissioner Rosel then indicated that he did not agree with the request, regarding the computer system, being that it was not a small budgetary request. He felt that it was more important to address the personnel problem and that this department should hold-off on this request until budget time. A discussion then ensued, after which the motion was voted on the budget amendments to increase the budget, in the amount of \$20,285.00, to include \$2,285.00 for the travel, advertising, printing and rental and \$25,000.00 for computer hardware and software and \$3,000.00 for maintenance of said operations.

MOTION CARRIED. (COMMISSIONER ROSEL VOTED AGAINST THE MOTION)
SEE "EXHIBIT R"

Judge Ruiz then addressed Mary Maldonado, the Purchasing Agent, and informed her that she would have to get together with Mr. McGee in order to advertise for the computer system.

ITEM 11. HUMAN SERVICES, Rudy De La Vina:

- A. Consideration of loan transfer to access state funds
- B. Consideration of budget amendment - Pauper Burials

11/A

Rudy De La Vina, Human Services Executive Director, came before the Court to request a loan, in the amount of \$845,621.51. Judge Ruiz then indicated that 100% of the 10%, that was set aside for Indigent Health Care, had been expended, this amount being \$2,836,000. A discussion then ensued, regarding the reason why we were not using the figure set by the State. This discussion included comments from the Tax Assessor and the County Auditor and they both concurred that this error was due to a problem with a Special Road Tax, which the County did not have. Mr. De La Vina then stated that no matter what the problem, the County had already reached the 80/20 point. The reason that he was requesting a loan was that it was needed, in order for the State to

allocate more funds for the area. The proceeds from this loan would assist in the cash flow. Steve Austin, the County Auditor, then stated that the appropriation would be \$845,000.00, "so that we can pay an additional \$845,000.00 of bills, in Indigent Health Care. What we would request is that Commissioners' Court authorize short term interim loan, not to exceed \$1 million, so that we can pay these, for cash flow. Once we get reimbursed from the State, for the 80% then this money would go back to the General Fund". The discussion then continued during which Mr. De La Vina stated that they might come back for a budget amendment if this amount was not sufficient to carry them through September 1st. A motion was then made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve the appropriation and the loan, as requested.

MOTION CARRIED.
SEE "EXHIBIT S"

Judge Ruiz then called upon State Representative Sergio Munoz, and stated that he would like for the Legislature to look into equalizing Indigent Health Care, as they have done in Education, whereby all the Counties would send their 10% to the State and each county would expend accordingly. At that point the Counties would be tapped, at the 10%, and "after the whole County pool, within the State, is expended, then each County would choose to go on an 80/20 match with the State". This, he felt, would assist a majority of the South Texas Counties, which had a large majority of indigency.

11/B

Mr. De La Vina then asked for a budget amendment for pauper burials. The request at this time was for \$170,000.00. Judge Ruiz then asked for clarification, in that no pauper burial exceeded \$600.00 and Mr. De La Vina stated that that was true, however, there were some rare cases where it did exceed. Judge Ruiz then brought up the issue of cemetery plots and Mr. De La Vina stated that the cost on this was not to exceed \$250.00. The discussion continued, with Judge Ruiz asking if there were anymore plots available at the County cemetery and Mr. De La Vina stated that that was true and at the present time they were averaging about six plots per month. The discussion then shifted to the transportation of bodies and the policy for this service. Judge Ruiz then asked him what the budget request was for all three services, at this time, and Mr. De La Vina responded that \$170,000.00, was being requested from the General Fund. Judge Ruiz then asked the Commissioners to please allow for more time on this request, in order to be able to discuss this issue further.

NO ACTION.

ITEM 12. SHERIFF DEPARTMENT:
A. Amend budget for Detention Nurse

Dick Dickinson, from the Sheriff's Department, came before the Court to request a budget amendment of \$1,508.13, for a salary increase for the Detention nurse. Judge Ruiz stated that this was brought about due to the increases given to the nurses, in the Health Department. A motion was then made by Commissioner Sanchez and seconded by Commissioner Camarillo, to approve a salary increase, of \$1.00 per hour for the detention nurse, and authorize a budget amount of \$1,508.13, for this increase.

MOTION CARRIED.
SEE "EXHIBIT T"

ITEM 13. PURCHASING DEPARTMENT:

- A. Award bid for backhoe loader - Pct. 2

Mary Maldonado, Purchasing Agent, reported that she had received two bids for a backhoe loader, for Precinct Two. The bids received were from Anderson Equipment Company, at a bid price of \$56,950.00 and the other was from Case Power & Equipment, at a bid price of \$42,386.53; both of these bids are with trade-in. She was at this time recommending that the bid be awarded to Anderson Equipment, because it met all specifications. A motion was then made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve the purchase of a backhoe loader, from Anderson Equipment Company, out of Pharr, at a cost of \$56,950.00, with the trade-in.

MOTION CARRIED.
SEE "EXHIBIT U"

ITEM 14. PLANNING DEPARTMENT:

- A. Subdivisions:
 - 1. Basham No. 26 Subdivision - Pct. 3
 - 2. Basham No. 33 Subdivision - Pct. 3
 - 3. Doffing Acres Subdivision - Pct. 3
 - 4. Amended map of Almanza Ranch - Pct. 4
- B. Preliminary Plat Approval:
 - 1. Upper Valley Estates Subdivision - Pct. 3
- C. Variance Request:
 - 1. Country Breeze Subdivision - Pct. 3

14/A/1

A motion was made by Commissioner Rosel and seconded by Commissioner Rosel, to approve the plat of Basham No. 26 Subdivision, which is located on the northwest corner of Mile 5 Road and Minnesota Road, City of Mission, Precinct Three. The approval is given subject to the developer complying with the installation of the street signs, traf-

fic control devices and testing of streets.

MOTION CARRIED.
SEE "EXHIBIT V"

14/A/2

Emilio Garcia, Chief Planner, presented the plat of Basham Subdivision No. 33 for approval, after which Commissioner Rosel stated that there were some concerns on this subdivision. Judge Ruiz then addressed the audience, and asked if there was anyone who had anything to say for or against this subdivision. Mr. Gonzalez, a resident, from that area, then stated that the concern with this subdivision was that the flow of rain water, within this subdivision would have an adverse affect on residents who live on the north and west of this subdivision. His main question was how could a drainage ditch, that was built uphill, alleviate the drainage problem that could arise, because of this development. Mr. Garcia then stated that the engineer had proposed a drainage swale, on the south side of this subdivision, as well as one between Lots 21 and 26. The County Judge then asked him if the ditch was higher than the land and Mr. Garcia stated that it was not. Mr. Salinas, the Engineer, for this subdivision then approached the bench and explained to the Commission how they were proposing to keep the excess flood water within this subdivision, as per the regulations of the County and the City of Mission. A discussion then ensued, in which Judge Ruiz stated that both the developer's engineer and the County engineer have reviewed this and they are both saying that the excess will be held. He then added that he wanted to make sure that everyone understands that this does not alleviate the present drainage problem, and it may hinder it. He also stated that he felt that it was time that developers look beyond their piece of land. A motion was then made by Commissioner Rosel and seconded by Commissioner Sanchez, to TABLE the plat of Basham No. 33 Subdivision.

MOTION CARRIED.
SEE "EXHIBIT V"

14/A/3

Emilio Garcia proceeded to present the plat of Doffing Acres Subdivision, for approval, after which Mr. Gonzalez read a statement that was prepared by the residents of the area of F.M. 492 and the 5 Mile Line. Within the statement, he detailed three flooding areas in this area, as well as problems with the flooding. Mr. Gonzalez then addressed the Court and requested that they reject the approval of Doffing Acres. Judge Ruiz then asked Vona Walker, about this subdivision, and she stated that she had been in contact with the State Highway Department and they had taken their elevation calculations and they were in the process of installing a drop structure, in the ditch. She also said that the developer had been asked to give up an additional fifteen feet of right-of-way, in order to enable them to properly grate a ditch. She added that she can only report what she was told by the Department, and this was followed by further comments from an area resident. After further discussion, Commissioner Rosel stated that the developer had

met all the regulations, of both the County and the city and he felt that it should be approved. Judge Ruiz then stated that this drainage problem should be corrected, because no one really maintained swales or holding ponds. He also added that it had nothing to do with regulations but with a drainage problem that should be corrected, before it gets any worse. He said that the developers, engineers and County government should sit together and work out a way to alleviate this problem. Commissioner Sanchez then stated that, from what he was hearing, this drainage problem had existed prior to the development of this subdivision, and the County Judge, as well as, several residents, from the area, commented on this. Commissioner Arcaute then asked if they had the authority to assess a drainage fee and Judge Ruiz responded that they did not, but that maybe the solution was to install a pump station in order to pump the water uphill. A discussion then ensued, with regards, to who would be responsible for the cost, the County Judge recommended that they reject Doffing Acres Subdivision, as presented. The discussion then continued with Travis Heister, County Legal Counsel, asking on what basis this subdivision would be rejected and with the Commissioners asking the area residents, how they felt that this problem could be resolved. After further discussion, a motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to approve the plat of Doffing Acres Subdivision, which is located on the southwest corner of the 5 Mile Line and Doffing Road (F.M. 492), City of Mission, Precinct Three.

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

14/A/4

A motion was made by Commissioner Camarillo and seconded by Commissioner Sanchez, to approve the plat of the Amended map of Almanza Ranch, which is located approximately 795 feet south of Canton Road, on the west side of Morningside Road, City of Edinburg, Precinct Four. (NOTE: The amendment is a correction on the metes and bounds description.)

MOTION CARRIED.
SEE "EXHIBIT V"

14/B

A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to give preliminary approval to the plat of Upper Valley Estates Subdivision, which is located three miles north of U.S. Hwy. 83, between Gill Road and Tom Gill Road, in the rural area of the County, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT V"

14/C

Emilio Garcia, Chief Planner, informed the Court that the plat of Country Breeze Estates Subdivision, was being brought be-

fore the Court, for a variance request. The request was with regards to the allowance of Lots 16 and 17 which were encroaching into a lake area. The subdivision, itself, lay mostly in a Zone "A", which required a letter from FEMA, and a waiver for this was also being requested. A discussion then ensued, with Mr. Garcia stating the regulations, which indicated that this subdivision had to be approved by FEMA. A motion was then made by Commissioner Rosel and seconded by Commissioner Sanchez, to REJECT the variance request for submittal of this subdivision, to FEMA, and in accordance with the subdivision regulations.

MOTION CARRIED.
SEE "EXHIBIT V"

ITEM 15. URBAN COUNTY:

- A. Saint Louis Groves Colonia
- B. Public Hearing to solicit input on the County's proposed 1994 consolidated final statement fo CDBG, HOME & ESG Funding
- C. Resolution authorizing the submission of the 1994 Urban County Program consolidated final statement for CDBG, HOME & ESG Funding
- D. HOME/Homeowner Occupied Housing Rahab Application
- E. HOME - First-Time Homebuyer Contract Agreement & Letter of Commitment to Mortgage Company
- F. Approval of Bills

15/A

Anthony Covacevich, Urban County Director, indicated that he was bringing this item, before the Court for guidance. It appeared that La Joya Water Supply had an option to pay the difference between an eight inch and a twelve inch line, of which they had voted against. He stated that before this item had gone out for bids, La Joya Water Supply had approved the specs and if the County went with the eight inch line then they would not connect the line. La Joya Water Supply was wanting to go out for bids, for a lesser grade of pipe, in order to reduce their cost. Travis Heister, County Legal Counsel, then asked him if there was a written contract, with La Joya Water Supply Corporation, where they agreed to provide the water to this subdivision and Mr. Covacevich responded that they did. A discussion ensued with regards to the pros and cons of re-bidding, after which it was decided that no action would be taken, being that they had signed an agreement and approved the specifications, prior to them being awarded.

NO ACTION.
SEE "EXHIBIT W"

15/B

Judge Ruiz called the public hearing to order, whereupon Anthony Covacevich proceeded to explain that this year HUD has

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asked them to consolidate all their grants. He stated that the total funding would be \$10,719,000.00, of which \$8,727,000.00 would go towards the CDBG Program, \$1,757,000.00 would go to the HOME Program and the remaining \$235,000.00 would go to the ESG Program. He then went through a detailed explanation of how these funds were proposing to be spent, by both the County and the cities. The County Judge then asked the members of the audience if they had any questions and/or comments, with regards to the presentation, after which Ms. Kate Handley, from the Law Office of Jim Darling, who stated that the City of McAllen was objecting to the allocation, as proposed, for the City of Granjeno. The objection was due to two lawsuits that were pending, concerning the incorporation of Granjeno and they were requesting that the funds allocated towards this city be re-allocated or deleted. Mr. Bob Storey, also from Jim Darling's Office, also made the same request, as Ms. Handley.

Mrs. Dolores Escobedo, from the area of Seminary Estates, came before the Court and presented the Commission with a letter, from her son. She was also asking for the paving of a road that was near this subdivision and Commissioner Camarillo explained that this was an undedicated road and there was nothing he could do. The County Judge then addressed the letter, which indicated the need for some kind of park or recreational facility, in the area.

A resident, from Palm Lake Subdivision, also came forward and requested that Seminary Road be paved, as well as having caliche spread on the entrance street, to this subdivision. Ms. Guillermina Gutierrez also from this subdivision, concurred with the previous request and added that there have been several accidents, because of the condition of the street. A brief discussion then ensued, with Commissioner Camarillo commenting on how he could possibly assist, in correcting this problem.

Ms. Peg Oliver then came up to congratulate them, on the layout of the 1994 Urban County Plan. This was followed by Mr. Chon Hinojosa, who made some comments with regards to Precinct One's street improvements funds. Mr. Covacevich then proceeded to respond by giving a listing of the road improvements that were being proposed and this was followed with comments from Commissioner Sanchez. Mr. Hinojosa then asked that they try to either add some more roads, or substitute other roads, as well as take care of the drainage. There being no further questions and/or comments, the public hearing was closed.

NO ACTION.
SEE "EXHIBIT W"

15/C

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve the resolution authorizing the submission of 1994 Urban County Program consolidated final statement on the Community Development Block Grant, the HOME Program and the Emergency Shelter Grant, as presented.

MOTION CARRIED.

SEE "EXHIBIT W"

****JUDGE RUIZ EXCUSED HIMSELF FROM THE MEETING AT THIS POINT****

15/D

Mr. Covacevich stated that he was bringing four more applicants for approval, under the HOME/Homeowner Occupied Housing Rehab program, these being Pedro and San Juanita Perez, Hilda A. Jimenez, Blas and Amalia Loya and Santos and Paulina Prado. A motion was then made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve the applications and authorize the advertising for bids for construction.

MOTION CARRIED.
SEE "EXHIBIT W"

15/E

Mr. Covacevich indicated that he was requesting approval of the application by Mr. Raul Guerrero, under the HOME First-time Home-buyer Program. He was also requesting that the letter of commitment to Frontera Mortgage, be approved, as well. A motion was made by Commissioner Sanchez and seconded by Commissioner Camarillo, to approve the requests, as presented.

MOTION CARRIED.
SEE "EXHIBIT W"

15/F

A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to approve the Urban County bill #6055, in the amount of \$215.00; the 1991 Urban County bills #6056 thru 6058 totaling \$61,301.70; the 1992 Urban County bills #6059 and #6060 in the amount of \$36,990.10; the 1993 Urban County bills #6061 thru #6070 totaling \$101,614.09; the Colonia II bill #6071 in the amount of \$331.20; the Colonia 1A bills #6072 and #6073 totaling \$31,752.62 and the HOME Program bill #6074 in the amount of \$5,000.00. The total Urban County memorandum to be approved is \$237,204.71.

MOTION CARRIED.
SEE "EXHIBIT W"

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

MOTION CARRIED.

DRAINAGE DISTRICT #1
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In the absence of the County Judge, the Honorable Abelardo "Lalo" Arcaute, called the Drainage District #1 meeting to order, whereupon the following proceedings were had, to-wit:

ITEM 1. AWARD BID ON SALE OF PROPERTY & AUTHORIZE COUNTY JUDGE TO EXECUTE DEED

Vona Walker, Right-of-Way Director, came before the Commission and stated that Anna Mae Kelly had bid \$5,510.00 on a 1.68 acre tract of land which was a portion of Lot 383, Kelly-Pharr Subdivision. The appraisal had come in at \$4,100.00 and she was requesting that same be approved. A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to accept the bid of Anna Mae Kelly, in the amount of \$5,510.00, as presented.

MOTION CARRIED.
SEE "EXHIBIT X"

ITEM 2. PERMIT - Tim Gearhart/Doffing Acres Subdivision

A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to approve a request for permit by Tim Gearhart, for an eighteen inch entrance into the District's West Main Phase III, and it will carry 15 CFS of runoff, from the Doffing Acres Subdivision.

MOTION CARRIED.
SEE "EXHIBIT Y"

ITEM 3. AUTHORIZATION TO ADVERTISE FOR ONE (1) 1/2 TON PICK-UP & ONE (1) 3/4 TON PICK-UP TRUCK

Ms. Walker informed the Court that, sometime in January, they had been authorized to purchase these vehicles, through the Houston/Galveston Area Council. They, however, had not been delivered, and she was at this time requesting that they be able to advertise for the purchase of these vehicles, at this time. A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to rescind the authorization to purchase from the Houston/Galveston Area Council and authorize the advertising for bids for the purchase of one 1/2 ton pick-up truck and one 3/4 ton pick-up truck; bid opening June 8, bid award June 13.

MOTION CARRIED.
SEE "EXHIBIT Z"

ITEM 4. CONSIDERATION OF RELEASE OF EASEMENT & SETTING FEE FOR RELEASE

Ms. Walker explained that she had brought this item, before the Commission, previously and since then she had found that this property was valued at \$900.00 per acre, by the Appraisal District. Commissioner Sanchez then stated that if we did not need the easement, then we should release it and we should charge a fee for this release. A discussion then ensued with regards to whether this would be the fee for this particular easement or for all easements, from now on and it was established that each case would be taken separately. After further discussion, a motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to set an administrative fee of \$1,000.00 per acre, for the release of this property.

MOTION CARRIED.
SEE "EXHIBIT AA"

ITEM 5. CONSIDERATION OF SALARY ADJUSTMENTS FOR DRAINAGE DISTRICT EMPLOYEES

Commissioner Arcaute informed the Court that his request was for a salary increase, for Florentino Garza, in order to bring his salary in line with the Precinct Foremen. The proposed increase was from \$26,741.14 to \$29,500.00. A discussion then ensued with regards to an exhibit that had been submitted by Joaquin Cerda, Drainage Manager, for salary increases for nine additional personnel, but Commissioner Arcaute stated that he was just recommending the increase for the Drainage Foreman. A motion was then made by Commissioner Rosel and seconded by Commissioner Camarillo, to authorize a salary increase, to Florentino Garza, as presented. (NOTE: This increase is take effect May 16th.)

MOTION CARRIED.
SEE "EXHIBIT BB"

There being no further business to come before the Drainage District, a motion was made by Commissioner Sanchez and seconded by Commissioner Camarillo, 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 17TH day of MAY, 1994.

ATTEST:

WILLIAM R. LEO, County Clerk
Hidalgo County, Texas

By: Jennifer Castillo, Deputy Clerk

