

C. 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, JUNE 13, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Fee Reports:
 - A. Sheriff - \$ 24,638.50 - April
 - B. Justice of the Peace
 - 1. Rosa E. Trevino - \$ 6,536.01 - April
 - 2. Esperidion Jackson - \$ 3,618.00 - April
 - 3. Rene O. Torres - \$ 24,155.74 - April
- 3. Planning Department:
 - A. Subdivisions:
 - 1. Albrad Subdivision #4 - Pct. #2
 - 2. Border Subdivision - Pct. #2
 - 3. Lot 2A Circuit City Subdivision - Pct. #2
 - 4. Nolana Square Subdivision - Pct. #2
 - 5. Lot 28a - 34a, Summit Park North - Pct. #2
 - 6. Concho Estates Subdivision - Pct. #3
 - 7. Orange Estates Subdivision - Pct. #3
 - 8. The Groves at Cimarron Subdivision - Pct. #3
 - 9. Locksley Subdivision, Phase II - Pct. #4
 - 10. Regency Square Unit V Subdivision - Pct. #4
 - 11. Woodhollow Phase V Subdivision - Pct. #4



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

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4. Internal Line Item Transfers:
 - A. District Clerk
 - B. Hidalgo County Extension Service
 - C. County Clerks Records Management
 - D. Sheriff's Department
 - E. Health Department - Sanitation
 - F. Health Department - T.B. Grant

Dated this the 8th day of June, 1994



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, JUNE 13, 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. Justice of the Peace Pct. #3 Pl. #1:
 - A. Discussion of filing, reporting & disposition of traffic citations
2. Health Department:
 - A1. Approval of T.B. Elimination Grant # C5000226-03A
 - A2. Approval of salary increase & setting salaries for six (6) positions
 - A3. Appropriate funds for equipment
 - B. Approval of T.B. Elimination Service Grant # C5000226-04A
 - B1. Appropriate funds for equipment
3. District Attorney:
 - A. Appropriate budget and set salaries - Narcotics Trafficking Task Force Grant
4. Sheriff's Department:
 - A. Authorization to transfer funds and appropriate to Acct. # 4-010-421-100-95
5. Tropical Texas Center Mental Health Mental Retardation:
 - A. Approval of contract with TTC MH/MR and Hidalgo County
6. Budget Amendments:
 - A. County Judge
 - B. Courthouse Security System
 - C. Enterprise Fund
 - D. J.P. Pct. #2 Pl. #2
 - E. Juvenile Detention Facility
7. County Auditor:
 - A. Discussion and action on Board of Judges order to create two new positions in the County Auditors Office
8. Discussion and action on setting of fees for the public - County Landfill and disposal sites
9. Economic Development - J. D. Salinas:
 - A. Request for Audience - Subdivision Regulations
 - B. Approval of salary increase
 - C. Internal Line Item Transfer



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

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10. Planning Department:
 - A. Subdivisions:
 1. Encino Estates Subdivision - Pct. #4
 2. Mars II Subdivision - Pct. #4
 - B. Preliminary Plat Approval:
 1. Sunflower Subdivision - Pct. #1
11. Pct. #2:
 - A. Amend budget - Loan proceeds - Backhoe Loader
 - B. Discussion and action on recommendations by Adult Detention Facility Corporation
 - C. Approval of contracts for lifegaurds
12. Pct. #4:
 - A. Approval of Resolution designating County Road Intersection as a four (4) way stop intersection
13. Purchasing Department:
 - A. Award Bids:
 1. Source Code Availability - County Clerks
 2. Computer Consultants - County Clerks
 3. Medical Supplies - County Clerks
 - B. Request food exemption for a period of one year - Various Co. Depts.
 - C. Discussion and action on award of gasoline and diesel fuel
14. Urban County:
 - A. HOME - First Time Home Buyer Contract Agreements & Letter of Commitment
 - B. City of Hidalgo - Award Contract - Hidalgo Pumphouse Project
 - C. Approval of bills

Dated this the 08th day of June, 1994.



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, JUNE 13, 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:

A D D E N D U M

1. Pct. #1:
 - A. Upgrade two (2) existing vacant positions and set salaries

Dated this the 9th day of June, 1994

R U I Z

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE

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, JUNE 13, 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:

A D D E N D U M

1. Final approval of Clara Subdivision in Weslaco

Dated this the 09th day of June, 1994



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, JUNE 13, 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:
 - A. Two (2) Vehicles

Dated this the 08th day of June, 1994

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

VOI 0168 PAGE 021

BE IT REMEMBERED that on the 13TH day of JUNE, 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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June 13, 1994

VOI 0168 PAGE 022

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

CONSENT AGENDA

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ITEM 1. APPROVAL OF BILLS - County Auditor

General Fund - #99965 - #100129 - \$970,879.52
Special Revenue Fund - #99076 - # 99309 - \$298,013.58
Enterprise Fund - # 1930 - # 1936 - \$ 3,420.13
(SEE "EXHIBIT A")

ITEM 2. APPROVAL OF FEE REPORTS:

A. Sheriff - \$24,638.50 - April
B. Justices of the Peace:
1. Rosa E. Trevino - \$ 6,536.01 - April
2. Esperidion Jackson - \$ 3,618.00 - April
3. Rene O. Torres - \$24,155.74 - April

(SEE "EXHIBIT B")

ITEM 3. PLANNING DEPARTMENT:

A. Subdivisions:

1. Albrad Subdivision #4 - Pct. #2
2. Border Subdivision - Pct. #2
3. Lot 2A Circuit City Subdivision - Pct. #2
4. Nolana Square Subdivision - Pct. #2
5. Lot 28A-34A, Summit Park North - Pct. #2
6. Concho Estates Subdivision - Pct. #3
7. Orange Estates Subdivision - Pct. #3
8. The Groves at Cimarron Subdivision - Pct. #3
9. Locksley Subdivision Phase II - Pct. #4
10. Regency Square Unit V Subdivision - Pct. #4
11. Woodhollow Phase V Subdivision - Pct. #4

3/A/1

Albrad Subdivision #4 is located on the northeast corner of Polk Avenue and San Patricia Avenue, City of Pharr, Precinct Two.
(SEE "EXHIBIT C")

3/A/2

Border Subdivision is located on the southwest corner of U.S. 281 and El Dora Road, City of Pharr, Precinct Two.

(SEE "EXHIBIT C")

3/A/3

Lot 2A Circuit City Subdivision is located on U.S. Expressway 83, on South 15th Street, City of McAllen, Precinct Two.
(SEE "EXHIBIT C")

3/A/4

Nolana Square Subdivision is located on the northwest corner of U.S. Expressway 281 and Nolana Loop, City of Pharr, Precinct Two.
(SEE "EXHIBIT C")

3/A/5

Lot 28A-34A, Summit Park North Subdivision is located on the southwest corner of McColl Road and Fern Avenue, City of McAllen Precinct Two.
(SEE "EXHIBIT C")

3/A/6

Concho Estates Subdivision is located 600 feet north of F.M. 495, on the west side of Bryan Road, City of Mission, Precinct Three.
(SEE "EXHIBIT C")

3/A/7

Orange Estates Subdivision is located between 1 Mile Line Road and 2 Mile Road, on the east side of Sharyland Road, City of Mission, Precinct Three.
(SEE "EXHIBIT C")

3/A/8

The Groves at Cimarron Subdivision is located approximately one mile south from the Expressway 83, on the east side of South Stewart Road, City of Mission, Precinct Three.
(SEE "EXHIBIT C")

3/A/9

Locksley Subdivision Phase II is located on Ware Road and Mile 4 Road, City of McAllen, Precinct Four.
(SEE "EXHIBIT C")

3/A/10

Regency Square Unit V Subdivision is located between Canton Road and Freddy Gonzalez on the east side of Jackson Road, City of Edinburg, Precinct Four.
(SEE "EXHIBIT C")

3/A/11

Woodhollow Phase V Subdivision is located on the northwest corner of Trenton and North 21st Street, City of McAllen, Precinct Four.

(SEE "EXHIBIT C")

- ITEM 4. INTERNAL LINE ITEM TRANSFERS:
 - A. District Clerk - \$2,000.00
 - B. Hidalgo County Extension Service - \$3,200.00
 - C. County Clerks Records Management - \$4,000.00
 - D. Sheriff's Department - \$4,298.00
 - E. Health Department - Sanitation - \$3,520.00
 - F. Health Department - T.B. Grant - \$3,300.00
- (SEE "EXHIBIT D")

Judge Ruiz announced that there would be one change, under the internal line item transfers, for the Sheriff's Department, the correct amount is \$4,298.00. He then asked the Commissioners if they had any questions and/or comments on any of the items on the Consent Agenda, and Commissioner Rosel expressed a concern with regards to the District Clerk's internal line item transfer. A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to approve the Consent Agenda, as amended; the amendment is on 4/D, Sheriff's Department, the correct amount is \$4,298.00.

MOTION CARRIED.
SEE "EXHIBIT A-D"

Judge Ruiz then stated, for the record, "the request by Pauline Gonzalez, to reduce postage", would be looked at if any further amendment is necessary, in the future.

REGULAR AGENDA
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- ITEM 1. JUSTICE OF THE PEACE PCT. #3 PL. #1:
 - A. Discussion of filing, reporting & disposition of traffic citations

NO ACTION.
SEE "EXHIBIT E"

- ITEM 2. HEALTH DEPARTMENT:
 - A. Approval of T.B. Elimination Grant #C5000226-03A
 - B. Approval of salary increase & setting salaries for six (6) positions

- C. Appropriate funds for equipment
- D. Approval of T.B. Elimination Grant #C5000226-04A
- E. Appropriate funds for equipment

2/A, B&C

Ofelia Espinoza, County Health Budget Director, came before the Court requesting approval of the #3A amendment and the setting of salary increases for six Outreach TB Aide positions, from \$9,949.80 to \$13,200.00, with fringes. The grant also provided for the purchase of one van and eight cellular phones. This was an amendment to the present contract, which would expire on January 31, 1995. A motion was then made by Commissioner Rosel and seconded by Commissioner Sanchez, to accept the attachment or an amendment to the original contract of the Tuberculosis Elimination Grant, of \$38,010.00; setting salaries, because there is an increase for six outreach TB Aide positions, from \$9,949.80 to \$13,200.00, as recommended by the State, along with fringes; also for the purchase of a transportation van, which is budgeted at \$16,000.00, which will be advertised and for the purchase of equipment and service of eight cellular, which is budgeted at \$10,976.00.

MOTION CARRIED.
SEE "EXHIBIT F"

2/D&E

A motion was then made by Commissioner Arcaute and seconded by Commissioner Rosel, to approve attachment 04A, to the Tuberculosis Elimination Service Grant, of \$1,593.00, for the purchase of equipment and service, of one more cellular phone.

MOTION CARRIED.
SEE "EXHIBIT F"

ITEM 3. DISTRICT ATTORNEY:

- A. Appropriate budget and set salaries - Narcotic Trafficking Task Force Grant

A motion was made by Commissioner Camarillo and seconded by Commissioner Sanchez, to appropriate the budget of \$76,737.00, setting the salary of an assistant district attorney, at \$51,900.00, with \$11,862.00 in fringes and there is a budget item of \$12,875.00 for overtime.

MOTION CARRIED.
SEE "EXHIBIT G"

ITEM 4. SHERIFF'S DEPARTMENT:

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- A. Authorization to transfer funds and appropriate to Acct.
#4-010-421-100.95

Captain Dick Dickinson came before the Court requesting that the proceeds from an abandoned vehicle auction be appropriated into the Sheriff's General Fund and be transferred into line item #95. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to authorize the transfer of \$6,491.20, into the General Fund account for the Sheriff's Office, under Object #95.

MOTION CARRIED.
SEE "EXHIBIT H"

- ITEM 5. TROPICAL TEXAS CENTER MENTAL HEALTH MENTAL RETARDATION:
 - A. Approval of contract with TTC MH/MR and Hidalgo County

Judge Ruiz stated that this was a contract for \$30,000.00 for the period covering January 1st through December 31, 1994, for services rendered by Tropical Texas MH/MR. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to approve a contract between Texas Tropical Center MH/MR and the County of Hidalgo, as presented.

MOTION CARRIED.
SEE "EXHIBIT I"

- ITEM 6. BUDGET AMENDMENTS:
 - A. County Judge
 - B. Courthouse Security System
 - C. Enterprise Fund
 - D. J.P. Pct. #2 Pl. #2
 - E. Juvenile Detention Facility

6/A

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve a budget amendment to the County Judge's account of \$650.00, for payment to be made for Leonel Garza and Associates, for appraisal services.

MOTION CARRIED.
SEE "EXHIBIT J"

6/B

A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to authorize a budget amendment of \$10,128.00, for the Courthouse Security Fund.

MOTION CARRIED.
SEE "EXHIBIT J"

After a discussion regarding the cost of security for the annex building, Steve Austin, the County Auditor, stated that even with the budget amendment that was made, in the previous action, the Courthouse Security fund did not have any additional funds, so this cost would have to be absorbed by the General Fund. Commissioner Sanchez then questioned the installation of security at the annex when it did not house any courts. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to approve a budget amendment of \$2,372.00, from the General Fund, to pay for the Courthouse security system.

MOTION CARRIED. (COMMISSIONER SANCHEZ VOTED AGAINST THE MOTION)
SEE "EXHIBIT J"

6/C

A motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to authorize a budget amendment of 11,799.83 for legal fees for the Enterprise Fund.

MOTION CARRIED.
SEE "EXHIBIT J"

6/D

Judge Ruiz stated that this Court had not approved any request for travel expenses for any of the JPs and therefore he was only recommending that the computer request be considered at this time. A discussion then ensued regarding the whole request, after which a motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve the budget amendment of \$3,000.00, for J.P. Pct. 2 Pl. 2.

MOTION CARRIED.
SEE "EXHIBIT J"

6/E

A motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to authorize a budget amendment of \$1,468.29 and approve the 100% completion of the extension, renovation and addition to the Juvenile Detention Facility; and this budget amendment is for architect fees, as final payment.

MOTION CARRIED.
SEE "EXHIBIT J"

THE FOLLOWING ITEM IS IN VERBATIM FORMAT

ITEM 7. COUNTY AUDITOR:

A. Discussion and action on Board of Judges order to create

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two new positions in the County Auditor's Office

JUDGE RUIZ

Item number seven, the County Auditor's discussion and action on Board of Judges order to create two new positions. Steve?

STEVE AUSTIN

Yes, Judge, on, on May the 27th, the Board of Judges held a public hearing in accordance with Section 152.905, the Local Government Code. The public hearing was properly advertised and the, the outcome of the public hearing was a, order passed by the Board of Judges, to establish two new positions, in the County Auditor's Office; one for an internal auditor, at a salary of \$23,615.54 and one grants auditor, in the amount of \$28,488.60. The budget amendment to accompany that, those two salaries was also approved, in the amount of \$36,848.82; and I'm bringing this to Commissioners' Court, for approval.

JUDGE RUIZ

Commissioners; let me ask you a couple of questions, real quickly. Was this part of your budget request, early for this year?

STEVE AUSTIN

Judge, this is a budget amendment. This, this is an emergency in the office, we had to...

JUDGE RUIZ

What type of emergency is it?

STEVE AUSTIN

A staffing problem.

JUDGE RUIZ

Why was the emergency created?

STEVE AUSTIN

Judge?

JUDGE RUIZ

What is the emergency?

STEVE AUSTIN

The emergency was understaffing, the need for additional assistance.

JUDGE RUIZ

Is there any department in this County, that's under, that's not understaffed?

STEVE AUSTIN

Judge, I can't answer that, I can only answer for my office.

JUDGE RUIZ

Did you, did you make a request of these two particular items during the budget process?

STEVE AUSTIN

These two positions were, were not included in the, in the original '94 budget, ah, no.

JUDGE RUIZ The motion, the, the order from the District Judges does not declare an emergency. Is there a reason why it's not declaring an emergency?

STEVE AUSTIN Judge, it, it doesn't, I don't believe, need to use the word emergency, but the, the need for the assistance was there, the public hearing was held, the, the budget was approved.

JUDGE RUIZ But I want to know what the emergency is. Staffing, I mean, what does that mean?

STEVE AUSTIN The need for additional employees.

JUDGE RUIZ But it's not an emergency?

STEVE AUSTIN Well, it certainly is an emergency, yes.

JUDGE RUIZ Well, how is it an emergency? Tell me what the emergency is?

STEVE AUSTIN An emergency...

JUDGE RUIZ You can't close the books, you can't finish your work, it's a public hazard, what is the problem?

STEVE AUSTIN There's a, there's a need to, to get into certain areas, ah, that the, ah, office had not, ah, gotten into, ah, to prevent, ah, problems and that, as you are aware, that, that, for example, last year, the problems we were having with the, ah, retirement system, with some of the County agencies, the current, ah, budgetary and accounting problems, that the Urban County, ah, and the need for a new computer, ah, ah, the, the increase in grants, ah, in the County...

JUDGE RUIZ But you did not request these two items during the budgetary process, did you?

STEVE AUSTIN No, no, these were not included in the...

JUDGE RUIZ You're saying those things, you didn't, these are last year's problems and you're saying that they become an emergency, now, but they weren't during the budget process?

STEVE AUSTIN Well, again, the budget request was submitted, I believe sometime, in September, now nine months later, yes, it's a, it's a, and in viewing the, ah, the, the conditions, ah, it, it is necessary that this be done.

JUDGE RUIZ I don't see a re., uhm, a ah, any state of emergency in the order, Commissioners, ah, I really didn't, Steve is saying that there was a public hearing, ah, was it advertised in the newspaper?

STEVE AUSTIN Yes, Judge, like I, like I mentioned, the, the public hearing was properly advertised...

JUDGE RUIZ In the newspaper and...

COMM. SANCHEZ (INAUDIBLE)

STEVE AUSTIN It was held on, on, on May the 27th, ah, the, the Board of Judges, in accordance with the statutes issued an order, ah, and ah, it, this order is being brought to Commissioners' Court for its ministerial approval.

COMM. SANCHEZ Ministerial, meaning that we don't have to approve it?

TRAVIS HEISTER I'd like the (INAUDIBLE)...

JUDGE RUIZ It's not ministerial, it's either ordered or not.

TRAVIS HEISTER ...I think you either approve it or don't approve it...

COMM. SANCHEZ Can't hear you, Travis.

TRAVIS HEISTER ...not ministerial.

JUDGE RUIZ It is not ministerial.

COMM. SANCHEZ So then it does require the approval?

TRAVIS HEISTER It certainly does, cause in the budget, you have to, to, to, ah, amend the budget, it has to be, in order with the Commissioners' Court -----, this is coming out of the General Fund, this is not a ministerial approval.

JUDGE RUIZ Did you, ah, ah, predict a deficit fund balance for the General Fund?

STEVE AUSTIN Oh, we predicted a, a low fund balance, Judge, yes.

JUDGE RUIZ Wasn't it a deficit fund balance, during budget process, you predicted?

STEVE AUSTIN The final outcome? No.

JUDGE RUIZ No. What you predicted, what you, what you predicted in, in the budget for 1994, wasn't it a deficit fund balance?

STEVE AUSTIN Yes, Judge, and, and again, that was one of the reasons why, ah, ah, the, ah, that, that again, what, what, you know, trying to work with Commissioners' Court and, and keeping, the, the budget to a bare, bare minimum.

JUDGE RUIZ Was there any effort from your office or the Board of Judges to actually notify Commissioners' Court that this action was being taken by the District Judges, aside from the advertisement?

STEVE AUSTIN The public hearing was held, uhm, the, the advertisement, Judge.

JUDGE RUIZ But, there was no effort, personally, on your behalf or any Board or District Judge, to actually inform Commissioners' Court that there was, there was a need, for two additional positions in the, in the, in your office? In other words, did you ever request it from Commissioners' Court, that you had a need for two more personnel, persons?

STEVE AUSTIN Judge, my, my budget is set by, by the Board of Judges, the, the salaries of the Auditor's Office are set by the District Judges, by order...

JUDGE RUIZ But I think that's you're interpretation of the law. I think salary is, your salary is set by the Board of Judges, and your assistants, but not all the budget. I think that is totally incorrect, but that's your interpretation, I know that. Commissioners...

COMM. ARCAUTE Did we ever get clarification on that, 'cause I know two years ago we had the same situation, and we reduced employees of this County, to be able to balance our budget.

COMM. CAMARILLO That's right.

JUDGE RUIZ Well, the only, the only...

COMM. ARCAUTE Two of those positions involved the County Auditor's Office, but then again we were ordered by

the Court, by the District Judges, that we couldn't do that and we had to add them to his budget.

JUDGE RUIZ

Uh-hum.

COMM. ARCAUTE

My question is and has been all this time, to the Board of Judges, that they have absolutely no consideration to what we have to go through to balance our budget and other departments have to sacrifice and this is the only department that doesn't. They sit there and they say, "we posted a notice for a public hearing, we had the hearing and boom, let's go, let's order these guys and these guys are going to get the positions", and no consideration whatsoever, as to what the status of the budget is; and I don't know whether they asked you that or not, and you're well aware of our conditions, with the budget.

COMM. CAMARILLO

I have the same concern that you have, Commissioner, ah, Mr. Trevino's here and, and Mr. Leo, both of them lost quite a few employees, a couple of years ago and the reason for that was to balance the budget, the best we could. We're all understaffed, the Sheriff's Department is understaffed, the Planning Department is understaffed, all the Commissioners are understaffed, I don't think that that should create an emergency if that is the case, then I have an emergency, in my, in my Precinct Four budget.

COMM. SANCHEZ

Yea, but you don't have the luxury of holding a public hearing -----.

JUDGE RUIZ

Well, I am going to recommend this to Commissioners' Court, that they, that they not accept this order...

COMM. SANCHEZ

Judge, you, you said...

JUDGE RUIZ

...and that no amendment to, to, to the General Fund be made and that if the District Judges want to, to pursue this action, I presume they could take legal action, ah, of which we should get prepared for.

COMM. SANCHEZ

Well, we've been a little contradictive here, but, didn't you say that the, that the Board of Judges or the District Judges have the authority to set his salary and his assistants?

JUDGE RUIZ Yes.

COMM. SANCHEZ Well, according to this order, it says assistant auditors.

JUDGE RUIZ Setting salaries, but Commissioner, it is not a, a, approveing the budget. Commissioners' Court has sole authority about approving the budget.

COMM. SANCHEZ So, regardless, of, of what they say...

JUDGE RUIZ Not creating, you're, you're, I think you're confusing the creation of positions versus...

COMM. SANCHEZ So, what you would say, was they establish the authority to set the salaries for assistants.

COMM. ARCAUTE Assistant auditors.

JUDGE RUIZ They can set salaries, that is correct, but they cannot approve budgets.

COMM. SANCHEZ All right.

JUDGE RUIZ That is the sole responsibility of Commissioners' Court.

COMM. ARCAUTE Does your office, Steve, have a, a system that, in your hiring, your hiring practices, since the District Judges have authority to, the employment of additional assistant auditors, and I'm sure there are some qualifications that go along with that. Are these two positions that you are creating, have already cleared those requirements?

STEVE AUSTIN There are qualifications for those positions, if that's what you question is, Commissioner, yes.

COMM. ARCAUTE So, they have to be either accountants or CPAs?

STEVE AUSTIN Yes.

JUDGE RUIZ I still recommend, Commissioners, that we not accept this order.

COMM. ARCAUTE I so move.

COMM. ROSEL So move, to what?

(06/13/94)

13

JUDGE RUIZ Not accept the order, not make budget amendments, to, for and not accept the two positions and not set salaries. Motion is there a second?

COMM. CAMARILLO I second.

JUDGE RUIZ Motion and second, discussion, Commissioner Sanchez?

COMM. SANCHEZ What, ah, what do you anticipate is the reaction of the Judges.

JUDGE RUIZ Well...

COMM. SANCHEZ We've been through this before.

JUDGE RUIZ We've gone through this before

COMM. SANCHEZ You didn't attend this meeting that they had.

JUDGE RUIZ No, I did not and I will, I will, if Commissioners' Court does decide not to accept it, I will inform the District Judges and discuss it with them.

COMM. ARCAUTE But Judge, usually, not only as a member of the Board of Judges, but also as the budget officer, of this County, I, I think that the Board of Judges should have at least notified you of what their intentions were, since we, we have to deal with budget.

JUDGE RUIZ Oh, without a doubt, that, I, I, there's no question, Commissioner, that there is no sensitivity towards the budget or to any other department, except themselves or the Auditor. There's no, there's, there is a track record, in this County, that when we're reducing employees from other departments, or not adding any more employees to the departments, in the last five years, the Auditor is the only department that has received more personnel. There is no emergency in the County Auditor's Office, let me assure you of that.

COMM. SANCHEZ Especially, if there was an emergency, that it should have been conveyed, primarily to you, as a member of the Board.

JUDGE RUIZ Sure.

COMM. SANCHEZ So that we can discuss it here.

COMM. ROSEL That should be the basis of ours turning it down, because I think, an emergency has to be justified, to us, at least, you know.

COMM. SANCHEZ In this notification, I, I would make a friendly amendment to your motion, Commissioner, that, you know, as you said to reject this, but that you ask the Judge to meet with the Board of Judges and inform them of our concerns.

JUDGE RUIZ I accept that. Is the motion and the second to accept that? Basically just a friendly amendment to actually authorize the County Judge to meet with the Board of Judges and discuss this...

COMM. SANCHEZ And discuss the fact that there was no communication and ask for clarification.

COMM. ARCAUTE Yea, we vote on the amendment.

JUDGE RUIZ Yes.

COMM. ARCAUTE I favor the amendment.

COMM. CAMARILLO So do I.

JUDGE RUIZ Motion and second, and, in favor of the amendment. All in favor signify by saying aye.

COMMISSIONERS Aye.

JUDGE RUIZ All opposed same sign, motion carries. I'll take a mo., an act., excuse me, I think we voted on the motion, the original motion, first, Commissioners?

COMM. SANCHEZ No, you voted....

JUDGE RUIZ For the record.

COMM. ARCAUTE Yea, well, actually, actually the motion is not amended, it's just, be another motion. This is not really amending...

JUDGE RUIZ Let me make sure that thei record is correct.

COMM. ARCAUTE ...the refusal to obey the...

COMM. SANCHEZ Did we vote on the amendment to, to ask the Judge to speak to the Baord of Judges.

JUDGE RUIZ To make sure we, we clarify the issue, there is

a motion and a second to approve a, to reject the actions taken by the Board of Judges, not to accept the recommendation of said, of establishing two new assistant auditors, not to amend the budget and not to set salaries; and also to authorize the County Judge and Commissioners' Court to set meeting to discuss, with Board of Judges, said order; for clarification. All in favor signify by saying aye.

COMMISSIONERS

Aye.

JUDGE RUIZ
(SEE "EXHIBIT K")

All opposed same sign; motion carries.

ITEM 8. DISCUSSION AND ACTION ON SETTING OF FEES FOR THE PUBLIC -
County Landfill and disposal sites

Judge Ruiz informed the Commissioner that he had given them some recommendations, which he would like to discuss at this time. He explained that this was for the setting of fees at the landfills and disposal sites, owned by the County. He was recommending a \$15.00 per ton tipping fee, on a delivery basis and he came to this fee after some bids had been opened for this service, in McAllen, with the low bid being \$14.50. He felt that this fee should be charged at the Edinburg and Mission landfills. On walk-ins, he was recommending \$1.00 fee per bag delivery, at the site.

He then noted that the solid waste mentioned here pertained to trash, scrap food, leaves, grass, bottles, cans, cardboard boxes, small dead animals and other similar animals. It does not include brush or any construction material. He then stated that he was not sure if they would want to accept tires, large appliances, mattresses, etc. or construction material, but this decision would have to be made by the Commissioners' Court.

Commissioner Rosel then stated that if they were going to reject tires from the landfill, then they would have a problem with finding them along streets; this pertained to the mattresses and large appliances, as well. The County Judge then asked him if he accepted construction material, at the landfill, and Commissioner Rosel responded that they did not. Commissioner Sanchez added that he did not find a problem with contractors, but by individuals, who were doing their own improvements and in his area they did not accept this material either. He continued by saying that they usually send these types of cases to BFI, and that's when the dumping problem occurs, that they do not take it to BFI. He also did not feel that if a fee was placed on the residents that it would alleviate this problem.

(06/13/94)

After further discussion, Judge Ruiz indicated that he did not feel that the fees, that were being recommended, were out of line, and Commissioner Camarillo concurred, but he did feel that there should be a fee of \$1.00 per tire, because he felt that we could probably dispose of them properly. He then mentioned that most rural residents carried their trash in 55-gallon drums, and it would be more helpful if we provided them with a bag, at \$1.00 per bag, and this way we would not charge them for bringing in the trash, since we already charged them for the bag; but he felt that the fee should provide for a standard sized bag.

Judge Ruiz then stated that if the fees were approved that they be implemented on September 1, because he felt that the fees had to be properly advertised, so that the residents are aware of this. He did, however, agree with Commissioner Camarillo, on defining the word "bag" in these fees. Commissioner Sanchez mentioned that the discussion should stop at this point and that the recommendation should be taken under advisement, because he felt that further discussion would lead to not only the fees, but what would be needed to implement these fees, in terms of equipment and personnel. The County Judge then responded that he felt that the fees should be set, in order to be able to come back and provide a system to "collect, sell, sell a bag, sell a coupon, who collect, where does the money, is taken" and these types of things had to be discussed not only with the existing personnel, but also with the Auditor's Office.

After further discussion, Judge Ruiz asked the Commissioners if they saw any problem with the \$15.00 per ton delivery and they responded that they did not. He then asked if there was any problem on a thirty, thirty-five pound bag, delivered, to be a dollar and fifty-five gallon drums \$2.00. The issue of the fifty-five gallon drum, with regards to the hazard of dumping it into a dumpster, etc., resulted in a discussion, in which Commissioner Rosel stated that he felt that Roberto Diaz De Leon should be here giving the Court some ideas and suggestions. To this suggestion, Judge Ruiz answered that he was following what BFI and Republic Waste were doing.

Finally, Judge Ruiz stated that the suggested fees were as follows:

Per ton.....	\$ 15.00
Per bag (thirty gallon bags).....	\$ 1.00
Per tire delivery.....	\$ 1.00
55-Gallon drums.....	\$ 5.00
Other items (mattresses, large appliances, etc.)...	\$ 10.00
Construction material - pick-up.....	\$ 25.00
- truck.....	\$100.00
- trailer.....	\$400.00

Commissioner Rosel then stated that he agreed with the recommendation, in principle, but he disagreed with the course he was taking, because he felt that this should be discussed further. Judge Ruiz noted that if they accepted the fees that they would be implemented on Septem-

ber 1. After continued discussion, a motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to approve the recommended fees, as presented.

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

ITEM 9. ECONOMIC DEVELOPMENT:

- A. Request for Audience - Subdivision Regulations:
- B. Approval of Salary increase
- C. Internal Line Item Transfer

Emilio Garcia, Chief Planner, informed the Court that Domingo Pinales, the developer, had requested that this item be taken off the agenda.

NO ACTION.
SEE "EXHIBIT L"

Mr. Garcia then stated that he had an additional request for variance, from Mr. Jesus Duenes. This variance was in reference to a request for permit to build a home, on a five acre tract, on which there was a contract for deed. He stated that there was an existing home on this parcel and they were requesting a permit to move in a mobile home. Commissioner Arcaute then recommended that this item should be discussed with the area Commissioner and the Planning Department, before it should be considered.

NO ACTION.

9/B

Lisa Saucedo came before the Court requesting a salary increase, for a secretarial position, with the funds coming out of the Economic Development budget. The funds for this would be taken through a line item transfer, with \$215.29, coming from postage and the rest coming from the 03 category. A motion was made by Commissioner Sanchez and this was followed with discussion, from Commissioner Arcaute with regards to the policy of taking from other line items and putting into salaries. After further discussion, Commissioner Sanchez withdrew his motion and Commissioner Rosel asked if this employee had received a 5% salary increase, at the beginning of the year. Commissioner Arcaute then stated that he felt that no action should be taken on this item.

NO ACTION.
SEE "EXHIBIT L"

ITEM 10. PLANNING DEPARTMENT:

A. Subdivisions:

1. Encino Estates Subdivision - Pct. #4
2. Mars II Subdivision - Pct. #4

B. Preliminary Plat Approval:

1. Sunflower Subdivision - Pct. #1

10/A/1

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve the plat of Encino Estates Subdivision, which is located approximately 600 feet south of Mile 17 1/2 North Road, on the east side of Sugar Road, City of Edinburg, Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT M"

10/A/2

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve the plat of Mars II Subdivision, which is located approximately 1/4 mile south of Alberta Road, on the east side of Valverde Road, in the rural area of the County, in Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT M"

10/B

A motion was made by Commissioner Sanchez and seconded by Commissioner Camarillo, to give preliminary approval to the plat of Sunflower Subdivision, which is located, in the immediate ETJ, of the City of Weslaco, between Expressway 83 and Mile 9 North Road, on the east side of Mile 6 1/2 West, in Precinct One. The preliminary approval is contingent on the following:

- 1) a letter of approval from the City of Weslaco stating that all the improvements have been done in accordance with their subdivision ordinance;
- 2) the testing of all streets, curb and gutter and water line to be done, inspected and approved by the City and the County; and
- 3) that all street signs, traffic control devices have been installed in accordance with the City and County Standards.

MOTION CARRIED.
SEE "EXHIBIT M"

ADD. 1. PLANNING DEPARTMENT:

A. Subdivision:

1. Clara Subdivision

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve the plat of Clara Subdivision, which is located between Business Highway 83 and West Sixth Street, on the east side of Mile 6 1/2 West Road, City of Weslaco, Precinct One.

MOTION CARRIED.
SEE "EXHIBIT M"

- ITEM 11. PCT. #2:
 - A. Amend budget - Loan proceeds - Backhoe Loader
 - B. Discussion and action on recommendations by Adult Detention Facility Corporation
 - C. Approval of contracts for lifeguards

11/A

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize the appropriation of the note proceeds into the Precinct Two budget for the backhoe loader.

MOTION CARRIED.
SEE "EXHIBIT N"

THE FOLLOWING ITEM IS IN VERBATIM FORMAT

11/B

JUDGE RUIZ

Discussion and action on recommendations by Adult Detention Facilities Corporation, I don't know why they put that under Precinct Two, Commissioner, it really doesn't belong there, but, ah, at this point, we do not have any recommendation and request from Commissioners' Court that they, that they give us another week to come back with some recommendations on the Adult Detention Facility Corporation. As you know, we had a workshop with them, last week, there have been some other, ah, items, that need to be clarified prior to us making any recommendations, as Commissioners' Court. No action necessary on the Adult Detention Facility Corporation.

COMM. SANCHEZ

You want a motion?

JUDGE RUIZ

No, Commissioner.

COMM. ARCAUTE

In their, there's no specific recommendation made, to be considered at this meeting; or, or is it related to what we had at the workshop

Thursday.

JUDGE RUIZ

Basically, Commissioners, we have, we have obviously created a, a Adult Detention Facility Corporation, a non-profit corporation, that works in lieu of Commissioners' Court, okay, it's very key that, that, that we understand that, that they are a branch of government, in a sense, because we created it; ah, number one. Number two, is that they have to take very serious steps towards, towards, at some point in time, being in a position to build a detention facility corporation, of which county government will actually lease. The lease will pay for their debt. So, what, what the Corporation needs is to advise Commissioners' Court and actually for Commissioners' Court to accept their action, so that they don't, ah, waste time in setting up a project that maybe six months down the line, Commissioners' Court will totally reject. So, I think that, that they have come to us and presented a, a, an idea, a set of players, architects, construction managers, project managers and, ah, we've, I think that it be very, very good for Commissioners' Court to actually say, not give their blessing, but saying, "You're in the right track and, and request for you to move forward with the project itself".

COMM. ARCAUTE

But Judge, this, this thing has been going on for two years now and, ah, I don't know of any, ah, or at least in these last two years, I haven't heard a single thing out of this corporation, except for one time that we had a joint session with them, or a workshop, which was to determine the needs assessment deal and whose gonna pay for all of that. Aside from that, I haven't had any information from that and, it, personally, based on the presentation made here, Thursday, I was not at all impressed with that and much less with the fee and that in itself is way over and above the cap that we had set at that particular workshop; and also the concept. On the other hand, I, I, I, I'm also thankful that it took them that long, 'cause it gave me, I know myself, gave me an opportunity to be able to do my own research, but, getting back to the presentation, late Thursday, that fee is extremely high on the concept of their, if this is what they recommended, I would never accept it, I think the Commissioners' Court ought to just take this project and just do it

ourselves. In two years, we haven't seen anything, this is the first, the first that we've heard from them, or at least I have and it's only been in the last couple of months.

JUDGE RUIZ

I think that at the base of this discussion, that you're having, Commissioner Arcaute, is, is something that I, I did speak to the, to the Chair of the Committee; and, and expressed my concerns with him, in fact over the weekend. Ah, basically stating that, the last time this, this, we met with this Committee, there was a very clear direction given by Commissioners' Court that they keep all their soft costs, less than ten percent and that the project not exceed over \$25 million, with the anticipated one thousand beds that are going to be built. No question, that with the recommendations that they made, or the, not the recommendations, but the presentation that they made, last Thursday, that they are far exceeding both limitations. The soft costs being 14% plus, not including legal counsel, financial advisors, bond counsel, etc., etc., plus any, any type of, of recovery of other expenses by the construction manager, project manager and architects, all together; so, so, I think that those are the things that need to be discussed with them, so that I, if Commissioners' Court is willing to go back to that original statement, that I think that that needs to be adhered to. Ah, secondly, obviously there, this past, this morning there, as, as I, as I discussed in Commissioners' Court workshop, with them, there was a previous contract for an architect given, ah, there was no action to rescind that contract, we have been cited this morning, with an intent letter and a claim letter, as, as far as you can see from the original architect, so, that presents a legal problem that needs to be resolved prior to Commissioners' Court taking any type of recommendation. So consequently, that's why I'm saying there's, there's things to be discussed before Commissioners' Court takes any action; ah, and unfortunately it may take a little longer.

COMM. ROSEL

Well, you know, then this, when the corporation was formed, you, you gentlemen, delegated to them the, the authority to, to build a jail, in behalf of the County, as you said a while ago; and I think that their, the fact that they hadn't met for long time was by design because

of certain situations, but I think that they have, in the past two to three months gotten the go ahead, from, from us, I guess, if you want to say it that way, and, and they started meeting and, and they come up with what they felt were the best players that they could come up with. And there are some concerns of mine also, that I have in regards to the players, that they selected, but I think that, because, I have concerns that wouldn't entitle me to take a stick of dynamite and blow up the, the corporation all a part, because, you know, I've got some other concerns. Let's take for example the clinic, in Sullivan City, when I asked, ah, the, ah, Ms. Espinoza, if she was ready to staff the, the clinic in Sullivan City, she says, "we didn't appropriate any monies for staff". Well, since we've said that we didn't appropriate any monies we don't go over and just say well we'll close down the clinic because we don't have any funds to do it, but what we do is we take our concerns and we work with them and I think that that's what we should do with, in this situation. I think, and I believe that's what you've done, you've given these people the concerns and you asked them to go back to the drawing board and if they can't come up with a, with what we're, something close, to what we're asking them to, then I think that they should come up and, and turn the project over to us, rather than us taking it away from them. I think that they've done an excellent job of selecting the players, I think that, in my opinion, I think that possibly the players could be a question mark, here and of course, the fees and another question that we could have taken into consideration, because I think, that you had discussed eleven and a half percent, wasn't it?

COMM. CAMARILLO

Ten percent.

JUDGE RUIZ

I thought we said ten.

COMM. ARCAUTE
twelve.

We kept it at twelve, eleven and a quarter and

COMM. ROSEL

At that time.

COMM. ARCAUTE

At that time.

COMM. ROSEL

And now they're talking about something about four to five points over that, which is a good

amount of money, so I think that we need, and I'm sure you have given these concerns over to them and, I'd, I'd like for them to come back next dweek and give us some recommendations as to what they feel that is the best alternatives and then we'll take it from there.

JUDGE RUIZ

Commissioner Camarillo?

COMM. CAMARILLO

Judge, thank you for this opportunity, but I also have my concerns and the first concern I have is the fact that this corporation decided to merge two architectural firms, to come up with the project. I, I, I have a conern, when you hire more than one firm to do a project, who is going to be responsible for what? Who's going to be blamed fo things that will not get done. And again, the, the, that, the, ah, the fee, 14% is just way up to, I, I don't believe it is right and I have talked to some people and they also concur with me, in saying that this is just totally out of hand and the worst concern that I have is that they're talking a-bout a project amounting to \$30 million. I, in good conscience, cannot accept a project worth \$30 million. The taxpayers of this County are already burdened with the, the, the amount of, of tax dollars that they have to pay. If we were to approve either certificates of obligation or a bond issue, taxes for, for the County's residents will raise at least fifteen cents per hundred dollar valuation and that is totally, totally unaccepted by me.

COMM. ROSEL

We don't know, Commissioner, if \$30 million, another, Commissioner, over says \$20 million, I say \$15 million, the Judge says \$20 million, but there's no specific plan of attack that anyone has ever come up to us and said, "this is alternative number one, alternative number, alternative number two, and number three", and I think that that's why this, this corporation was very important...

COMM. CAMARILLO

This is what the corporation recom...

COMM. ROSEL

...for them to come up with recomendations.

COMM. CAMARILLO

This is what the corporation recommended, \$30 million.

JUDGE RUIZ

I think, what he's saying is what, what the ar-

chitects said Thursday, Commissioner, not, not...

COMM. SANCHEZ

Actually, the architect didn't suggest anything.

COMM. CAMARILLO

The fee, the fees that they gave us are based on a \$30 million project.

COMM. SANCHEZ

The architect suggested that they do a needs assessment for the next ninety days, then come up with something; but, they're looking at something like \$30 million. Judge, but speaking of the players directly, I, I was not familiar with any of the firms that were presented last week. So, I took it upon myself to call the Jail Commission and I spoke to the Executive Director, just, just verifying references and so forth and, and whereas they are a very reputable firm, nationwide, they have never been known to do a project, a County jail in the State of Texas; and the architectural firm never have designed one here or have supervised one, so that coupled with the \$30 million price tag and the concerns that you outlined to me about the, the new developments, I, I think we're in a position now just not to take any action, let's not accept anything. Start over.

JUDGE RUIZ

And not accept the...

COMM. SANCHEZ

Well, I felt that they were making a recommendation to us, last week...

JUDGE RUIZ

Yes.

COMM. SANCHEZ

...alright, I think at this point we need not to accept that and then meet with them again.

JUDGE RUIZ

Not accept the recommendations, period.

COMM. ROSEL

I think the, the amount of money that was spoken to was in reference to how much of a, how much were they going to charge, in as far as, their fee, was concerned and they, I think one of the architects stated that if it was a \$30 million project there was such and such amount is paid, as a fee that we're going to be charged, but there wasn't a definite, I think, there was just a, trying to give us some type of idea.

COMM. CAMARILLO

No, he said, that if the project was \$30 million their fee was 5.7, if it was less than \$30 million their fee would, would be jacked up.

COMM. ROSEL Well obviously that's a lot of money and I'm going with you, I cannot at this particular time, you know, agree to vote for a \$30 million project, a jail, because I think that they're all the alternatives that we could take that are much more feasible to the, to the taxpayers of this County and to what we've seen and also the service and needs that we need to serve.

COMM. ARCAUTE Well, I think we all basically agree on the one thing, and that's what's on the agenda, Commissioner, what you just recommended, if it's in the form of a motion, I'd like to second your motion and not accept the recomenaton if it's referring to the, to the Thursday workshop.

COMM. ROSEL Wait a minute, but, what in effect are you saying, just not give them our blessing at this particular time, send them back to the drawing board or what.

COMM. ARCAUTE I'm referring to the presentation that was made by this architectural firm and the construcion management firm.

COMM. ROSEL Right.

COMM. ARCAUTE That we do not accept those recommendations.

COMM. ROSEL Oh, that we do not accept them. Well, in other words what you're saying is that we're asking the, the corporation to go back and to see if they can do better with some other project managers and, and architects?

COMM. ARCAUTE Well, I don't, I don't know what the motion will state, but if you ask me, I, I say we don't say anything to the corporation, at this point.

COMM. CAMARILLO Rather, rather than...

COMM. ARCAUTE Let's just take one step at a time.

COMM. CAMARILLO Rather that the motion...

JUDGE RUIZ Well, you, ----- the questions have...

COMM. ARCAUTE We'll not accept the recommendation.

JUDGE RUIZ There are some, some...

COMM. SANCHEZ We won't take any action.

COMM. ARCAUTE No, we're going to take some action?

COMM. SANCHEZ Well, if we take action and accept this recommendation that means that they, they have in essence and in fact hired a firm.

JUDGE RUIZ Yeah.

COMM. SANCHEZ If we accept the recommendation at this point.

JUDGE RUIZ I think what, Lalo, what you were saying is not to accept the recommendation?

COMM. ARCAUTE Yeah.

COMM. SANCHEZ Or, we don't have to necessarily change them at this point, we just don't accept it, so consequently all action is stopped.

JUDGE RUIZ Yeah.

COMM. SANCHEZ And whether we go back and meet with them again, or whatever, and reconsider this thing, is fine, but at this point I don't want to accept the recommendation, because that means that, there in effect will be a contract.

JUDGE RUIZ Yes. Is there a motion?

COMM. CAMARILLO Wait a minute, wait, wait, first, can I, can I say a few things, Commissioner?

JUDGE RUIZ Yes sir.

COMM. CAMARILLO Based on what the Judge just announced, that there was an intent of a lawsuit from a firm that supposedly had a contract, I would much prefer not to take action, until something be resolved out of this intent, of the lawsuit, rather than just...

JUDGE RUIZ I, I think that would be part of it, because if we were to give our blessing, to the project with new architects, Commissioner, then, then we would be...

COMM. CAMARILLO Another...

JUDGE RUIZ ...a possible part of that particular action, that was taken to them, to them previously. So, I think that Commissioner Sanchez is rec., motion is in order not to accept the recommenda-

tions; go back to them and say, "we just didn't accept it"...

COMM. SANCHEZ

Outline the concerns that we have.

JUDGE RUIZ

...express our concerns and what you're going to do with it.

COMM. SANCHEZ

The litigation situation.

COMM. ROSEL

Send them back to the drawing board.

COMM. SANCHEZ

And then meet with them.

COMM. ROSEL

That's fine.

JUDGE RUIZ

I think, I think that we, this won't take long we can tell this tomorrow and...

COMM. SANCHEZ

(INAUDIBLE)

COMM. ROSEL

No problem with that.

COMM. SANCHEZ

But, I think, we need to outline to them the concerns that the Judge mentioned, the litigation potential, as explained to him, you know, our concerns with the \$30 million price tag, you know, my concerns with the fact that there haven't been any projects here, etc., and then tell them, too, at that point, this is what we're, we're concerned with.

COMM. ROSEL

The other thing that bugs me, is that, they understood that, that it was going to be on the agenda, how come they're not here, to at least explain...

COMM. SANCHEZ

They were here.

JUDGE RUIZ

They were here earlier, Commissioner, they were, in defense to them, they were here earlier, ah, what, what I told them, I discussed it with Hector Guerra this morning and I, I said, "Listen there is some litigation involved", now, I presume that either media wise or otherwise the other firm heard about the actions that were brought to them, so they immediately took, took action, so, so my position was then, this morning, I said, "I'm not going to take any action on any of your items"...

COMM. ARCAUTE

Judge...

JUDGE RUIZ and ----- said, "do I need to be here" and I said, "I don't think you need to".

COMM. ARCAUTE Judge, point of order, ah, since we're already talking litigation...

TRAVIS HEISTER Well, I think, if you just go through with your motion, then we'll see about this further-----

COMM. ARCAUTE Well, but...

JUDGE RUIZ Wait a minute, excuse me, go ahead, Lalo.

COMM. ARCAUTE I, I was, I was going to suggest that we go into Executive Session, if these things have come up and, and now they're on the table, I think we should go into Executive Session and discuss some kind of strategy to deal with this...

TRAVIS HEISTER If you'll just go through with your motion.

JUDGE RUIZ I think the motion that Commissioner Sanchez, would be, is very appropriate, at this point in time, barring any action at all.

TRAVIS HEISTER Yeah, -----

COMM. SANCHEZ We just don't take any action?

JUDGE RUIZ And I think your recommendation to not accept the recommendations, and, and we'll come back with, to them, with the, the, the concerns and, and the legal issue.

COMM. SANCHEZ It might be that they can resolve all these things and they may bring the same recommendation back.

JUDGE RUIZ Yeah.

COMM. ARCAUTE We can always come back and rescind this motion, right?

JUDGE RUIZ Yes.

COMM. ARCAUTE Okay, make your motion.

COMM. SANCHEZ I so move.

COMM. ARCAUTE Second.

JUDGE RUIZ I think that the motion, and I'll, I'll make it

0168 050

perfectly clear...

COMM. SANCHEZ

Clarify it.

JUDGE RUIZ

...'cause, that, that...

COMM. SANCHEZ

No action.

JUDGE RUIZ

...there has been a workshop, by the Adult De-
tention Facility Corporation, of which they
have recommended to Commissioners' Court vari-
ous players, including architects and construc-
tion and project managers; they, they, they es-
tablished or made representation of some fees,
they made representation of time limitations,
they made representation in terms of type of
construction, ah, an overall sense of direc-
tion; at this point the motion is not to accept
any and all recommendations, that that facili-
ties corporation has made, there is a second.
All in favor signify by saying aye.

COMMISSIONERS

Aye.

JUDGE RUIZ

All opposed same sign; motion carries.

11/C

A motion was made by Commissioner Arcaute and seconded
by Commissioner Rosel, to approve personal service contracts, with life-
guards, for the Valley View Swimming Pool and Park; one personal service
contract will be at \$5.50 per hour and two additional ones at \$4.50 per
hour; approval is contingent on Legal Counsel reviewing the personal
service contracts and they are effective June 8th.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 12. PCT. #4:

A. Approval of Resolution designating County Road Intersec-
tion as a four (4) way stop intersection

Commissioner Camarillo informed the Court that he had seven re-
solutions to install stop signs on various intersections, these being
as follows:

- 1) Big 5 Road and Mile 13 - four way stop
- 2) Kenyon Road and Ramseyer - two way stop on Kenyon
- 3) Kenyon Road and Pinkston - two way stop on Kenyon
- 4) Kenyon Road and Davis - one stop, on traffic traveling
south on Kenyon

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- 5) Terry Road and Ingle Road - two way stop on Terry Road
- 6) Morningside Road and Ramseyer Road - stop on traffic traveling north on Morningside Road
- 7) Morningside Road and Davis Road - stop on traffic traveling south on Morningside Road.

He then made a motion, which was seconded by Commissioner Arcaute, to approve several resolutions designating County road intersections, as one-way, two-way and four-way stop sign intersections.

MOTION CARRIED.
SEE "EXHIBIT O"

ITEM 13. PURCHASING DEPARTMENT:

A. Award Bids:

1. Source Code Availability - County Clerks
2. Computer Consultants - County Clerks
3. Medical Supplies - Health Department

B. Request food exemption for a period of one year - Various County Departments

C. Discussion and action on award of gasoline and diesel fuel

13/A/1

Mary Maldonado, Purchasing Agent, stated that the request from the County Clerk was to take this item under advisement. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute to take all bids UNDER ADVISEMENT.

MOTION CARRIED.
SEE "EXHIBIT P"

13/A/2

Ms. Maldonado continued by saying that she had received one bid from Titlewave, out of McAllen, in the amount of \$3,500.00. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to enter into contract with Titlewave, out of McAllen, at \$3,500 per month, for computer consultant services, in the County Clerk's Office; this contract is effective June 15th, on a month to month basis.

MOTION CARRIED.
SEE "EXHIBIT P"

13/A/3

A motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to take all bids UNDER ADVISEMENT, for medical supplies for the Health Department.

MOTION CARRIED.

13/B

After a discussion regarding how often the Purchasing Agent would like to go out for quotes on food items, a motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize the exemption, from the Purchasing Policy, the purchase of food for various departments, inclusive all the detention facilities, within the County and any other department that may purchase food; this exemption is for one year.

MOTION CARRIED.

Judge Ruiz then stated that this item would be brought back to Court, in order to conform to State policy.

13/C

Judge Ruiz stated that this item had been acted on the previous week and since then there had been some concerns that had been brought up by various departments. He then allowed the Ms. Maldonado to explained the problem. Ms. Maldonado stated that she had been gone for three days, last week, but when she came back she found out that there had been numerous complaints, because of the locations of the filling stations. She mentioned that she had just talked to Mr. Rodriguez, the low bidder, this morning and he had assured her that he was looking into this and he would try to get more filling stations. Judge Ruiz added that there were some departments who used filling stations for fuel and the locations awarded were mostly in the rural area. He continued by saying that they might have to have some of these departments gas-up in their Precinct Offices and Commissioner Arcaute explained that they might have to look into acquiring a system like that of the Drainage District's. After further discussion, the County Judge announced where the present locations, offered by the low bidder, were and the County Judge requested that the Commissioners allow other departments to fuel-up at their locations, until this matter can be resolved.

NO ACTION.

ITEM 14. URBAN COUNTY:

- A. HOME - First-Time Homebuyer Contract Agreements & Letter of Commitment
- B. City of Hidalgo - Award Contract - Hidalgo Pumphouse Project
- C. Approval of bills

14/A

Raul Lozano informed the Court that he was bringing three eligible applicants, for approval, under the HOME First-Time Homebuyer Program, along with the letters of commitment to Frontera Mortgage. The applicants were Manuel Mata, Agustin Segovia and Victor Ortiz. A motion was made by Commissioner Sanchez and seconded by Commis-

sioner Arcaute, to approve the HOME First-Time Homebuyer contract agreements and letters of commitment, as presented.

MOTION CARRIED.
SEE "EXHIBIT Q"

14/B

Mr. Lozano indicated that the architect was recommending the low bidder being Land Construction Company, for the roofing of the pumphouse, in the amount of \$38,406.00. After Judge Ruiz indicated that this was for the historical restoration of the pump house, in the City of Hidalgo, a motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to accept the low bidder, who is Land Construction Company, at a contract price of \$38,406.00.

MOTION CARRIED.
SEE "EXHIBIT Q"

14/C

A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to approve the County Extension Service bill #6190 in the amount of \$250.00; the 1990 Urban County bill #6191 in the amount of \$32,701.24; the 1991 urban County bill #6192 in the amount of \$60,272.05; the 1992 Urban County bills #6193 thru #6195 in the amount of \$121,802.17; the 1993 Urban County bills #6196 thru #6207 totaling \$41,859.67 and the HOME Program bills #6208 thru #6217 in the amount of \$15,000.00. The total Urban County memorandum to be approved is in the amount of \$271,885.13.

MOTION CARRIED.
SEE "EXHIBIT Q"

ADD. 1. PCT. #1:

A. Upgrade two (2) existing vacant positions and set salaries

Commissioner Sanchez indicated that he was wanting to upgrade two vacant, one was at \$11,123.13 and the other was at \$10,113.60. He was wanting to upgrade these positions to \$12,000.00 positions and change the responsibilities from general maintenance to Sign Maintenance Supervisor and Park Maintenance Supervisor. He explained that the funds would be coming from the same positions. He then made a motion, which was seconded by Commissioner Arcaute, to authorize the upgrade of two existing vacant positions, from \$11,123.13 to \$12,000.00 and from \$10,113.60 to \$12,000.00; the positions are changed from General Maintenance to Supervisors.

MOTION CARRIED.
SEE "EXHIBIT R"

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

MOTION CARRIED.

During a questions and comments session, Commissioner Rosel stated that he would like to address the issue of raising the automobile license plate fees, by \$5.00. He would like for this item to be placed on next weeks agenda, in order for this Commissioners' Court to take action, as he is aware that it should be done before September.

DRAINAGE DISTRICT #1
=====

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:
 - A. Two (2) vehicles

Mary Maldonado, Purchasing Agent, reported that she had received one bid, from Roberts Chevrolet, out of Edinburg, this being as follows:

For a 1994 1/2 ton pick-up - \$19,134.80

For a 1994 3/4 ton pick-up - \$20,530.00

She stated that they would like to reject the bids, being that the bids were two high. A motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to REJECT all bids received for the purchase of two vehicles, which are a 1/2 ton and a 3/4 vehicle, for the Drainage District.

MOTION CARRIED.
SEE "EXHIBIT R"

There being no further business to come before the Drainage District, a motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to adjourn.

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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 13TH day of JUNE, 1994.

ATTEST:

WILLIAM R. LEO, County Clerk
Hidalgo County, Texas

By: Jennifer Castillo, Deputy _____

