

Jennifer



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, JUNE 28, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Monthly Fee Reports:
 - A. County Clerk - Part I - \$ 105,082.80 - May
 - B. County Clerk - Part II - \$ 108,067.80 - "
3. Planning Department:
 - A. Subdivisions:
 1. Dove Pointe Unit 1 - Pct. 2
 2. Lot 1A thru 8A - La Vista Center Subd. - Pct. 2
 3. Kirk Subdivision - Pct. 3
 4. Canton Park Estates - Pct. 4
 5. Danaby Acres Subdivision - Pct. 4
4. Internal Line Item Transfers:
 - A. Adult Probation Restitution Center (state funds)
 - B. Adult Probation Boot Camp (state funds)
 - C. Health Department - TB Elimination Services Grant
 - D. Health Department - Mobile Clinics
 - E. Health Department - Maternal/child Health
 - F. Health Department - Health Clinics
 - G. Historical Commission
 - H. Buildings & Grounds
 - I. Tax Office
 - J. J.P. Pct. 1, Pl.2
 - K. Human Services
 - L. Pct. 2 - Park

(continued)



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HIDALGO COUNTY JUDGE

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(continuation)

- M. 206th District Court
- N. County Court #3
- O. County Court #4
- P. Pct. 3 - Park
- Q. Pct. 3 - Administration

5. Permits:

- A. Southwestern Bell Telephone Co. - Pct. 1, 2 & 3
- B. North Alamo Water Supply - Pct. 1 & 4
- C. Valley Telephone Cooperative - Pct. 3 & 4

Dated this the 22nd day of June, 1994

Annifer



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

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1. J.P. Pct. 3, Pl.1:
 - A. To discuss disposition of traffic citations
2. Adult Probation:
 - A. Exemption from fuel bid (Restitution Center & Boot Camp Programs)
3. Authorization & approval of request from Court of Civil Appeals - Judge Robert Seerden
4. Health Department:
 - A. Authorization to apply for Texas-Mexico Border Mobile Health Outreach Immigration Project Grant
5. Requesting refund for unclaimed access funds derived from a mechanic's lien sale
6. District Clerk:
 - A. Approval of request for budget amendment
7. Discussion & action on appointment of project team for the construction of a new Detention Facility
8. Pct. #2:
 - A. Authorization to advertise for bids for the purchase of fuel system
 - B. Authorization to enter into Interlocal Cooperation Agreement - County of Hidalgo, City of McAllen & City of Pharr
9. Pct. #3:
 - A. Authorization to declare equipment surplus
10. Authorization to enter into Contract with City of San Juan - Solid Waste Disposal at Regional Landfill
11. J.D. Salinas, Project Coordinator:
 - A. Declare real estate & personal property surplus
 - B. Appointment of special commissioner & authorization to auction
12. Approval of Resolution approving application for Preliminary Loan for Low-rent Public Housing



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13. Urban County:
 - A. City of Hidalgo - Approval of Professional Services Contract - Water Improvements Year 1993
 - B. HOME - First-time Homebuyer Contract Agreements & Letter of Commitment to Mortgage Company
 - C. Approval to enter into Contract with Texas Water Development Board for EDAP feasibility engineering study of El Rancho Sanchez
 - D. Approval to enter into Contract with RTD & Associates to perform feasibility study for El Rancho Sanchez
 - E. Approval of bills

14. Office of Employment & Training:
 - A. Concur with award of PY '94-95 II-A and II-C Contracts
 - B. Consider & approve appointment of individual to Hidalgo/Willacy SDA Private Industry Council

Dated this the 22nd day of June, 1994.



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

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1. Executive Session:

Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.072 & 551.071 to discuss the following matter:

- A. Resolution authorizing sale of Monte Cristo Inn & Country Club Unit I; authorizing County Judge to execute necessary documents to accomplish said transactions and providing for a severability clause
- B. Discussion of settlement to avert possible litigation - Simon Garza vs. Hidalgo County

2. Open Session:

- A. Possible action on item 1A
- B. Discussion and possible action of settlement regarding probable litigation

3. Discussion by Mr. Raymond Gill, Plaintiff Attorney

Dated this the 22nd day of June, 1994



J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, JUNE 28, 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. Permit - City of San Juan

Dated this the 22nd day of June, 1994

THE STATE OF TEXAS :

0168 008
COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 28TH day of JUNE, 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-----

In the absence of the County Judge, the Honorable Abelardo "Lalo" Arcaute, County Commissioner, for Precinct Two, 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 - #100325 - #100551 - \$721,464.03
Special Revenue Fund - # 99611 - # 99781 - \$462,517.01
Debt Service Fund - # 928 - \$ 3,779.38
Enterprise Fund - # 1948 - # 1954 - \$ 7,533.92
(SEE "EXHIBIT A")

ITEM 2. APPROVAL OF MONTHLY FEE REPORTS:
A. County Clerk - Part I - \$105,082.80 - May
B. County Clerk - Part II - \$108,067.80 - "
(SEE "EXHIBIT B")

ITEM 3. PLANNING DEPARTMENT:
A. Subdivisions:
1. Dove Pointe Unit 1 - Pct. 2
2. Lot 1A thru 8A - La Vista Center Subd. - Pct. 2
3. Kirk Subdivision - Pct. 3
4. Canton Park Estates - Pct. 4
5. Danaby Acres Subdivision - Pct. 4

3/A/1

Dove Pointe Unit 1 is located 514 feet southeast of Dove Avenue, on the west side of McColl Road, City of McAllen, Precinct Two.
(SEE "EXHIBIT C")

3/A/2

Lot 1A thru 8A La Vista Center Subdivision is located on the southwest corner of McColl Road and east of La Vista Avenue, City of McAllen, Precinct Two.
(SEE "EXHIBIT C")

3/A/3

Kirk Subdivision is located on the 1 1/2 Mile Line (28

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Street), on the west side of Sharyland Road (F.M. 494), City of Mission, Precinct Three.
(SEE "EXHIBIT C")

3/A/4

Canton Park Estates is located on the south side of Canton Road and west of Hackberry Lane, City of Edinburg, Precinct Four.
(SEE "EXHIBIT C")

3/A/5

Danaby Acres Subdivision is located 632 feet west from McColl Road, on the north side of Alberta Road, City of Edinburg, Precinct Four.
(SEE "EXHIBIT C")

ITEM 4. INTERNAL LINE ITEM TRANSFERS:

- A. Adult Probation Restitution Center (state funds)- \$1,500.00
- B. Adult Probation Boot Camp (state funds) - \$14,400.00
- C. Health Department - TB Elimination Services Grant - \$600.00
- D. Health Department - Mobile Clinics - \$450.00
- E. Health Department - Maternal/Child Health - \$275.00
- F. Health Department - Health Clinics - \$4,500.00
- G. Historical Commission - \$400.00
- H. Buildings & Grounds - \$200.00
- I. Tax Office - \$5,000.00
- J. J.P. Pct. 1, Pl. 2 - \$60.00
- K. Human Services - \$2,000.00 & \$16,000.00
- L. Pct. 2 - Park - \$300.00
- M. 206th District Court - \$850.00
- N. County Court #3 - \$228.00
- O. County Court #4 - \$160.00
- P. Pct. 3 - Park - \$3,000.00
- Q. Pct. 3 - Administration - \$1,044.49

(SEE "EXHIBIT D")

ITEM 5. PERMITS:

- A. Southwestern Bell Telephone Co. - Pcts. 1, 2 & 3
- B. North Alamo Water Supply - Pcts. 1 & 4
- C. Valley Telephone Cooperative - Pcts. 3 & 4

5/A

In Precinct One, Southwestern Bell Telephone is requesting a permit to bury a cable across North Valley View Road, just north of its intersection with Business 83. In Precinct Two, they are requesting to bury cables, along Ridge Road for 410 feet east of Tower Road and also, to cross South Stewart Road south of Moore Road. In Precinct

Three, they are requesting to bury cables along Mile 8 and Mile 8 1/2, east of Los Ebanos Road and go approximately 660 feet and also, to go along Mile 7, west of Shary Road.
(SEE "EXHIBIT E")

5/B

In Precinct One, North Alamo Water Supply is requesting a permit for two inch water lines to cross Cummings Lane, 500 feet west of Victoria Road and 3460: on the south side of Mile 20, then on Mile 7 West. In Precinct Four, they are requesting a permit for two inch lines to go along Fill, north of 2nd Street, in Hargill and to cross Alamo Road 1/4 mile south of Davis Road.
(SEE "EXHIBIT E")

5/C

In Precinct Three, Valley Telephone Cooperative is requesting a permit to bury a cable along a county road 1/4 mile north of F.M. 681 southwest, of McCook and to bore under First Street, at the southwest corner of First and F.M. 493 in Hargill.
(SEE "EXHIBIT E")

Commissioner Arcaute 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 Sanchez and seconded by Commissioner Camarillo, to approve the Consent Agenda, as presented.

MOTION CARRIED.
SEE "EXHIBITS A-E"

REGULAR AGENDA
=====

- ITEM 1. J.P. PCT. 3, PL. 1:
 - A. To discuss disposition of traffic citations:

Justice of the Peace Arnaldo Corpus came before the Court to discuss the lack of service, with respect to traffic warrants. He added that as this County had finally allowed each Justice of the Peace to control their own budgets, they were still being budgeted equally, even the case load varied, among J.P. Courts. He continued by saying that with all the grants that had been implemented, with regards to traffic safety, the caseload, to the J.P. Courts, had increased "without being allowed any personnel", with most of these cases being Class C Misdemeanors. He stated that another problem that he was facing was that DPS officers were not being assigned to his area, therefore warrants were not getting executed. After further explanation, he indicated that

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- execute necessary documents to accomplish said transactions and providing for a severability clause
- 2. Discussion of settlement to avert possible litigation - Simon Garza vs. Hidalgo County

The Commissioners went into Executive Session accompanied by Mr. Travis Heister, the County Legal Counsel.

NO ACTION.

ADD. 2. OPEN SESSION:

- A. Possible action on item 1A
- B. Discussion and possible action of settlement regarding probable litigation

2/A

NO ACTION.

2/B

Commissioner Arcaute reported that the settlement with Mr. Simon Garza, would be for \$9,000.00. A motion was made by Commissioner Sanchez and seconded by Commissioner Camarillo, in protest, to approve the settlement, as presented. (NOTE: Commissioner Camarillo's second was in protest because he felt "that the proper people that were supposed to be in charge of giving an explanation, on this item, were not present".)

MOTION CARRIED. (COMMISSIONER ROSEL VOTED FOR THE MOTION IN PROTEST) SEE "EXHIBIT S"

ADD. 3. DISCUSSION BY MR. RAYMOND GILL, Plaintiff Attorney

Mr. Raymond Gill, Attorney for Simon Garza, explained that it was not their intention to "bring out the name of this particular officer that was in violation of the civil rights of Mr. Garza", but the importance of "bringing these sorts of matters to the attention of the Board". He felt that there was a great need for proper training of the officers, and he used this case as an example. He then introduced Mr. Garza's sister, Martha Garza, who addressed the Commissioners' Court, as well. Commissioner Arcaute then proceeded to apologize, in conjunction with the Sheriff's Department, to the Garza Family, on behalf of Commissioners' Court.

NO ACTION.

his request was to be able to work with the DPS, Sheriff's Office, Constable's Office, Texas Parks and Wildlife and TABC, to maybe come up with some kind of task force, or request from those individual departments, to come in and try to serve these warrants. He then went on to explain, why this needed to be done, by reporting on the number of cases, outstanding. He was also requesting an additional slot and authorization to declare a sixty day amnesty period and recall some of the warrants. Commissioner Rosel commented on this request by saying that he, himself, has always sympathized the the JPs and their need for additional personnel. Commissioner Arcaute then brought up the issue of certain JPs who had requested additional personnel and it had not saved the County any money and Judge Corpus stated that he understood, but he did not feel that the JPs were to blame. Judge Corpus also brought up the issue of security, since most of the JP Courts were situated, in the rural areas, plus the fact that fines were being collected by the clerk and the Judge. The discussion continued with the issue of the backlog in the cases, the need for the additional personnel and why the problem had occurred, after which no action was taken.

NO ACTION.
SEE "EXHIBIT F"

ITEM 3. AUTHORIZATION & APPROVAL OF REQUEST FROM COURT OF CIVIL APPEAL
- Judge Robert Seerden

Chief Justice Robert Seerden came before the Court requesting approval of telephone service, in their temporary quarters, in the fourth floor of the Courthouse. The request is in the form of a budget amendment of \$1,920.00. A discussion ensued with regards to whether or not the Court of Appeals had been given a budget, by the County and Ms. Etnire explained that this service had to be paid, out of their account, from the General Fund. The County would be furnishing the phones and the amendment would pay for the installation and long distance calls, which were estimated at \$200.00 per month. After further discussion, a motion was made by to approve a budget amendment of \$1,920.00, as presented.

MOTION CARRIED.
SEE "EXHIBIT H"

ADD. 1. EXECUTIVE SESSION:

- A. Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.072 and 551.071, to discuss the following matter:
 - 1. Resolution authorizing sale of Monte Cristo Inn & Country Club Unit I; authorizing County Judge to

ITEM 2. ADULT PROBATION:

A. Exemption from fuel bid (Restitution & Boot Camp Programs)

Joe Lopez, Adult Probation Director, approached the Court to request that the Boot Camp and the Restitution Center be exempt from the fuel bid. The reason for his request was that the vans from the Restitution Center needed to fuel up either very early in the morning or late in the evening, and of the locations that were listed on the low bid, only one remained open seven days a week. His request was for authorization to buy fuel, from other vendors, other than the low bidder; this would only pertain to the hours when the low bidder's locations were unavailable. Commissioner Sanchez then addressed the Purchasing Agent, and asked her if she had been advised, by the low bidder of any other locations, that he could provide and she responded that she had not heard from him, as of yet. The Commissioner then asked that Mr. Lopez, wait on this, to see what other information the Purchasing Agent, can acquire.

Another concern he had, was in reference to the Boot Camp. He stated that the vehicles from there only ran on diesel fuel and the only location, listed on the low bid, that provided this, was situated in San Juan. Commissioner Arcaute then recommended that he fuel up at the Drainage District, just so long as they kept a record of it.

NO ACTION.
SEE "EXHIBIT G"

ITEM 4. HEALTH DEPARTMENT:

A. Authorization to apply for Texas-Mexico Border Mobile Health Outreach Immigration Project Grant

Ofelia Espinoza, Health Department Budget Director, asked the Court for permission to apply for a Texas-Mexico Border Mobile Health Outreach Immigration Project Grant. The Commissioners then addressed the concern on whether a match would be required and the possible need of additional personnel and Ms. Espinoza stated that the grant would cover for the personnel. She added that the purpose of the grant was to implement an outreach program for immunizing children, in the rural colonias of the County. The grant amount requested is \$206,876.00 and this would be awarded, on Year 1 and Year 2. Commissioner Sanchez addressed the issue of what would happen on the third year of funding and Ms. Espinoza stated that by the third year they would hopefully have an idea of how to fund this or it would become part of the Community Oriented Primary Care clinic. A motion was then made by Commissioner Rosel and seconded by Commissioner Sanchez, to authorize to apply for Texas-Mexico Border Mobile Health Outreach Immigration Project Grant.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 5. REQUESTING REFUND FOR UNCLAIMED ACCESS FUNDS DERIVED FROM A MECHANIC'S LIEN SALE

Mrs. Etnire informed the Court that this item had previously come before Commissioners' Court, and they had requested that the request come from Boggus Motor Sales, instead of from the person, on whom the lien had been placed. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to approve a refund for unclaimed access funds derived from a mechanic's lien sale, as requested from Boggus Motor Sales.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 6. DISTRICT CLERK:
A. Approval of request for budget amendment

Mary Lou Codina, from the District Clerk's Office, came before the Court requesting a budget amendment of \$15,000.00, for office supplies. The reason that this was needed was that they had exhausted all the funds and they were still in need of recording paper, minute books, case binders, typewriters, and civil docket books. They had exhausted their funds due to the implementing of a voice box for the jury and the the Child Support. Commissioner Rosel asked her if she would be coming before this Court for additional requests and Ms. Codina responded that she didn't think she would. After further discussion, a motion was made by Commissioner Sanchez and it died for lack of a second. At the request of Commissioner Arcaute, Commissioner Sanchez reintroduced his motion and it was seconded by Commissioner Rosel, to authorize a budget amendment of \$15,000.00, for office supplies, as presented.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 7. DISCUSSION & ACTION ON APPOINTMENT OF PROJECT TEAM FOR THE CONSTRUCTION OF A NEW DETENTION FACILITY

NO ACTION.

ITEM 8. PCT. #2:
A. Authorization to advertise for bids for the purchase of fuel system
B. Authorization to enter into Interlocal Cooperation Agree-

ment - County of Hidalgo, City of McAllen & City of Pharr

8/A

THE FOLLOWING ITEM IS IN VERBATIM FORMAT

- COMM. ARCAUTE Item number 8, under Precinct Two, authorization to advertise for bids for the purchase of a fuel system. Gentlemen, as, if you will recall, we have been, I know we have, at Precinct Two, been, not cited, but, by EPA, as far as, ah, conforming with the new regulations, on ah, on storage tanks, fuel storage tanks...
- COMM. SANCHEZ Elevated.
- COMM. ARCAUTE ...fuel storage systems.
- COMM. ARCAUTE There we go, I got it, and for this reason I would like to have this Court approve, or authorize for the advertisement for the purchase of fuel systems for all the precincts; and I don't know of any other department that may want to, may want to also get in on this. According to the Judge, he said, he said that he didn't know of any other department that would be interested in this.
- COMM. CAMARILLO Are you, do you have the specs on this, Commissioner?
- COMM. ARCAUTE Yes.
- COMM. SANCHEZ Commissioner, now I, I, I agree with you, I, I've been called by different people in reference to the problem that we have with elevated tanks, in the systems, now. We do have a lot problems with the spillage and having to clean up very frequently, also the accountability of the fuel, in and out of those tanks. What you're saying, if we are able to put a fuel system in place, for all four precincts, that's what you're saying.
- COMM. ARCAUTE Huh-hum.
- COMM. SANCHEZ And that way we would comply with the EPA regulations requirements.
- COMM. ARCAUTE And it will also give us a better, control than what we have.
- COMM. SANCHEZ I know that we need additional control on, on

the dispensation of the fuel.

- COMM. ROSEL I think that we've got some people here locally that have a lot of experience in this area and I think that we should, ah, consult with them and again, famous last words, have some type of committee, that would, ah, recommend a set of, a set of specifications that would, that they can come in, come in and recommend to us.
- COMM. CAMARILLO Commissioner, I'm pretty sure that Commissioner Arcaute made, made some research, or did, rather, did some research on this thing and, oh, these, these specs are pretty lengthy.
- COMM. ROSEL I understand...
- COMM. ARCAUTE I made a couple of calls to our local operators and they referred me to somebody else in Houston.
- COMM. SANCHEZ I talked to, to some of them, also.
- COMM. ARCAUTE Yeah, there's a couple of firms in Houston, that, ah, and they sent some information, down, I don't have it with me, but they're, they're just quoting, you know, a tank, that's it, just a steel tank.
- COMM. SANCHEZ Capacity, mostly. You know what I am looking at, Commissioner, is, you know, I want accountability on fuel. I don't get that right now, correct me. I have about six elevated tanks and the spillage on those things, is tremendous, and we have to clean up very often, almost every day or at least once a week, or we get cited by people. Also, I want to be able to have a better fuel, right now, we have to put additives into it, water gets into it and gives me a lot of problems with the trucks. The system that we have with the Drainage District, I understand, does all of those things; and also it dispenses according to a card and computerize. Is that correct?
- COMM. ARCAUTE Yes.
- COMM. CAMARILLO Commissioner...
- COMM. SANCHEZ Go ahead.
- COMM. CAMARILLO Commissioner Arcaute?

(06/28/94)

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COMM. ARCAUTE Uh-hum.

COMM. CAMARILLO These specs that you've got here, are they an accumulation of the information that you received, by the various individuals?

COMM. ARCAUTE Ah, yes and, ah, this is the specs that we used when we, ah, purchased the, the fuel cells at the Drainage District.

COMM. ROSEL The same exact ones, right?

COMM. ARCAUTE Ah, yes.

COMM. SANCHEZ An alarm system?

COMM. ARCAUTE Yea, they're almost...

COMM. ROSEL So, the Judge is recommending this, also?

COMM. ARCAUTE Huh?

COMM. ROSEL The Judge is also recommending this?

COMM. ARCAUTE I don't know.

COMM. ROSEL Well, I thought you said, you mentioned his, name, name a few minutes ago. That he also recommended that, ah, that the other departments join in.

COMM. SANCHEZ Anybody else that, that...

COMM. ARCAUTE No, I mean as far as, yea, any other department needing a, a fuel system.

COMM. SANCHEZ This capacity -----.

COMM. ROSEL Well I think that this is, that's the thing, that's overkill, in this thing and I think that that's what these specs are trying to do is that, we're going to buy into a system that we really don't need and I, I think that if you gentlemen want to go out for bids you're gonna have to exclude me, 'cause I'm not gonna do it until I, I gather together four or five people that are in the business, of this type of business and I come up with a set of specs, from them that, that we can, ah, that we can take into consideration and approve them and then we go out for bids on those. Secondly, I think that what we need to do on this, on this bid,

is we need to advertise not only here locally, we need to advertise, in the, in the Bexar County, we need to advertise in a, in a, Harris County, we need to advertise in a, in Travis...

COMM. SANCHEZ

What is your, your standard advertising procedure, Ms. Maldonado, why can't we just follow that? Why wouldn't we do that? Advertise this, the way she advertises everything else.

COMM. CAMARILLO

Yeah.

COMM. ROSEL

No, no I think...

COMM. SANCHEZ

What about, what about the capacity, if we have a lot of capacity at the Precincts, can't we be able to deal, like with Mr. Lopez and his problem with fuel.

COMM. ARCAUTE

That makes it a lot easier.

COMM. SANCHEZ

And we could have agreements like what Vona talked about, as far as being able to allow them to use the fuel and provide accountability and bill them later.

COMM. ROSEL

Once again, I think that we need to advertise in, in other counties, where we can get some competitive bids.

COMM. ARCAUTE

There's no problem with that.

COMM. CAMARILLO

I have no problem with that.

COMM. ARCAUTE

Purchasing Agent...

COMM. ROSEL

Harris County, Bexar County, Tarrant County, ah, Bexar County, there's a lot of counties that, we can even send one to, in somewhere in California, well maybe, maybe where these, ah, maybe be able to get these at a better price than what we, we're gonna, we could probably get them down, what we got them for the last time.

COMM. SANCHEZ

So, the motion is to, authorization to advertise for bids and to advertise where the Commissioner is saying. You want to make that a motion, Commissioner?

COMM. ROSEL

I'm, I'm gonna be excluded from this cause I don't want to go out for bids on this project.

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COMM. ARCAUTE

Well, this is a County wide project, Commissioner, you can take that action.

COMM. SANCHEZ

We're looking at providing, complying with EPA for all the precincts, that's what I would be interested in.

COMM. ARCAUTE

Absolutely, we all have to comply.

COMM. ROSEL

Well, I agree, but it doesn't have to be just, to these set of specifications, it doesn't have to be.

COMM. SANCHEZ

Well...

COMM. ARCAUTE

Why not?

COMM. SANCHEZ

I under.., didn't you meet with, I talked to Robert Gutierrez, of -----, with...

COMM. ARCAUTE

Can you get us another set of specs, Commissioner, I already tried, for two weeks.

COMM. SANCHEZ

Yea, so did I.

COMM. ARCAUTE

If you can get us another set of specs, fine.

COMM. SANCHEZ

I talked to Mr. Gutierrez, since he was supplying the fuel for us, before and he said that he was not able to do this, I also asked him to help me put together some specs and he has not gotten back to me.

COMM. ARCAUTE

He can't.

COMM. SANCHEZ

I know that we, we've talked about it in, and the Commissioner Arcaute has talked to the different suppliers.

COMM. ARCAUTE

We already tried all that.

COMM. ROSEL

Well, and I'm not...

COMM. SANCHEZ

And I'm amenable to advertising wherever you want.

COMM. ARCAUTE

County wide.

COMM.SANCHEZ

Yea, that way we comply once and for all.

COMM. ARCAUTE

That would be, two...

COMM. SANCHEZ All four precincts.

COMM. ARCAUTE ...two fuel cells for each precinct. One for gasoline and one for...

COMM. SANCHEZ Three thousand gallons.

COMM. ROSEL Save the money 'cause I don't need it. Save the money 'cause I don't need it and I don't want it. Este, the only, the only way that I would...

COMM. ARCAUTE Commissioner, we appreciate your discussion, do we have a motion to authorize this, to advertise for bids?

COMM. SANCHEZ So move.

COMM. ARCAUTE Do we have a second?

COMM. CAMARILLO Second.

COMM. ARCAUTE Okay, discussion, Commissioner?

COMM. ROSEL Sir.

COMM. ARCAUTE Discussion.

COMM. ROSEL Ah, the only way that I think that I could support this would be the fact that we would, ah, bring these other people into, into, into surroundings where we could talk about it and come up with a set of specifications, because, you know, I'm interested in, in making sure that when they take a look at this, not after the fact, but before the fact, and I want them to say, you know, "this is an excellent program and I think that we recommend it to you" and then, and then we will do so; but after the fact we don't want them to say that this is an overkill, which has happened in the past and we don't want...

COMM. ARCAUTE Well, we don't need them to make decisions...

COMM. SANCHEZ Will you do that, during this week.

COMM. ARCAUTE ...this is why we got elected, to make decisions, here, we're not gonna ask anybody to come and, and make a decision for me, you know, we know what we got over there already, these are the specs that were used for that one, they don't have to be the same specs. If you can

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get us another set of specs, be.., between now and the day that we authorize to be advertised, fine.

COMM. SANCHEZ

I don't have any problem. That's why I had talked to you about it before. Vona? That fuel...

COMM. ARCAUTE

Let's not ...

COMM. SANCHEZ

...cells that we have out there, is that doing everything that we expected it to do? Providing us, as far as...

VONA WALKER

I don't know what you expected it to do, I heard somebody say something about a card...

COMM. SANCHEZ

Accountability.

VONA WALKER

No, we don't have cards.

COMM. SANCHEZ

It's got an alarm on it, I mean, everthing...

VONA WALKER

It, it has an alarm on it, the tanks, we know how much gas we put in each vehicle, but as far as having like a data fueling type thing, we do not have.

COMM. ARCAUTE

But it does, it is capable of doing it?

COMM. CAMARILLO

At least we don't have a...

VONA WALKER

I am assuming it is, I do not know.

COMM. ARCAUTE

They probably don't...

VONA WALKER

Right.

COMM. ARCAUTE

...they chose not to use it...

VONA WALKER

Yea.

COMM. ARCAUTE

...it does have a...

COMM. SANCHEZ

Because we found that the accountability is easier and works, better. Accountability for the fuel.

VONA WALKER

Well, we had a pump that was measuring it before, but yes, it is, it, it, it pumps it out, it, it does have the alarm, it, you know, yea.

- COMM. SANCHEZ On 'ta Joaquin, maybe we should ask Joaquin.
- COMM. ARCAUTE If you can find a system that will, when they're putting the fuel, into the, the tank, that will set an alarm off, if that fuel has any water or any contaminants in it, I'd like to see one. 'Cause I know that there isn't. That's what we're looking at; and here we're always settled with low bid, low bid, low bid, and what do we end up with. I can't use that word in public, but, low bid, gentlemen, is, is never the best bid.
- COMM. ROSEL Never use an absolute, Commissioner, I think we shouldn't use an absolute, in this situation, I think, sometimes would be an appropriate word, not never. Ah, the motion also include that the advertisement will go into various states, ah, various counties? Yes or No?
- COMM. SANCHEZ Yes.
- COMM. ARCAUTE Is that your motion?
- COMM. ROSEL Excluding the Precinct Number Three?
- COMM. ARCAUTE No, County wide.
- COMM. SANCHEZ Well, I want, I want to include everybody, because, I know that EPA is going to require it and it's not easy to do it.
- COMM. CAMARILLO You don't have to participate. It's gonna be County wide, but you don't have to participate, if you don't want to.
- COMM. SANCHEZ You're gonna be faced with this problem down the road, Commissioner...
- COMM. CAMARILLO And I would appreciate, Commis., Commissioner Arcaute, I would appreciate that you give us enough time so if Commissioner Rosel's got some specs, to also include them in the...
- COMM. ROSEL I don't have, but I'll go look for them. I guarantee.
- COMM. SANCHEZ When, by when do you need?
- COMM. ARCAUTE Well, let me just say, Commissioner, that, that your precinct is gonna be involved in the payment of these things, okay. If you don't want

to participate in it, then fine, but it's a County wide deal...

COMM. SANCHEZ

I think it should be County wide and there, there, thereby we're all in compliance.

COMM. ARCAUTE

You still have to pay.

COMM. ROSEL

All right.

COMM. ARCAUTE

You're gonna pay for our tanks.

COMM. ROSEL

Okay, I'll jump in, but I'm gonna bring in a set of specs in here and we're gonna have to look at those specs, we're not gonna go in with an overkill.

COMM. ARCAUTE

How long will it take?

COMM. SANCHEZ

(INAUDIBLE)

COMM. ARCAUTE

I've heard these stories before, you know, and two months later you say, "nobody told me", you know, "I didn't hear about it" and...

COMM. ROSEL

Not from me, Commissioner.

COMM. ARCAUTE

How soon can you come up with some specs, Commissioner?

COMM. ROSEL

Give me two weeks.

COMM. SANCHEZ

I'll give you one week?

COMM. ARCAUTE

That's too long, hombre. It's gonna be a month...

COMM. SANCHEZ

Do it, go out and look for them tomorrow, you and I have talked about it before...

COMM. ARCAUTE

No va hallar, como quiera.

COMM. SANCHEZ

That's fine, but we need get this done and I don't know...

COMM. ROSEL

No, well give my a week and see what I can come up with.

COMM. SANCHEZ

Okay, one week.

COMM. ARCAUTE

I've got, I've got two other sets of specs, at the office.

COMM. ROSEL Good, I'll, ah, I'll pick them up.

COMM. ARCAUTE They don't even come close to, to what, to what...

COMM. ROSEL I, I'm sure that that's true, I'm sure that there's a great amount of research that has been done into this...

COMM. ARCAUTE Sure.

COMM. ROSEL ...but I think that there is such a thing as, as using the word, again, overkill.

COMM. SANCHEZ Who, who seconded my motion? Ah, I would like to amend it to, to say that, you know, motion is contingent, on Commissioner...

COMM. ROSEL I'd like to air condition my shop, over there, in Precinct Three, but I'm not going to over-kill it.

COMM. SANCHEZ ...Rosel providing us with additional specs.

COMM. ROSEL Too much money to spend. There's a lot of things I'd like to do, but we don't live in Utopia, and that's what I'm trying to do, I'm trying to be realistic, that's all.

COMM. SANCHEZ Okay.

COMM. ROSEL And if I, and if I get out of line for being realistic and logical and feasible, I'm sorry, I apologize.

COMM. CAMARILLO No you're not.

COMM. ARCAUTE -----, appreciate your efforts, Commissioner. All right, we need a motion here, this is gonna be a County wide project, okay?

COMM. SANCHEZ Yes.

COMM. ARCAUTE All right.

COMM. SANCHEZ And Commissioner Rosel's going to look for additional specs.

COMM. ROSEL You're going to get me to pay for these expensive tanks?

COMM. ARCAUTE Let's set...

COMM. SANCHEZ It's necessarily required.

COMM. ARCAUTE ...they're not tanks, Commissioner, it's a system. Let's, ah, let's make sure we, you know, we include everything in the motion.

COMM. SANCHEZ Well, how do you want it phrased?

COMM. ARCAUTE We have a County wide.

COMM. SANCHEZ The motion is to authorize the advertisement of bids for the purchase of a fuel system, for all four precincts...

COMM. CAMARILLO Why don't you say County wide?

COMM. SANCHEZ ...County wide...

COMM. ROSEL Why don't you go by precinct?

COMM. SANCHEZ ...and that ah, the motion is contingent on Commissioner Rosel, providing us an additional set of specs, within a week...

COMM. ROSEL And advertisement.

COMM. SANCHEZ ...and the advertisement, you know, as, as what you have now, to include additional counties, as, as you can advise her. Okay?

COMM. ARCAUTE That the cost for advertising be from Precinct Three's funds. (LAUGHTER)

COMM. CAMARILLO My second still stands.

COMM. SANCHEZ Just kidding, Commissioner.

COMM. ARCAUTE Just kidding. Es de jugandito.

LOURA ETNIRE Ah, the 27th of July and August the 2nd, is that all right or do you want...

COMM. ROSEL No, that's, a little further down the line.

COMM. ARCAUTE 27th of July.

COMM. ROSEL A couple months later.

COMM. ARCAUTE No, let's, let's get this -----

LOURA ETNIRE (INAUDIBLE)

COMM. ARCAUTE July 27th to open; and to award...

LOURA ETNIRE The 2nd of August.

COMM. ARCAUTE ...2nd, okay the 2nd day of August, okay. Motion and a second, any further discussion?

COMM. SANCHEZ Question.

COMM. ARCAUTE In favor of the motion, signify by saying aye.

COMMISSIONERS
SANCHEZ AND
CAMARILLO Aye.

COMM. ARCAUTE Against.

COMM. ROSEL Aye.

COMM. ARCAUTE
SEE "EXHIBIT L" Motion carries, Chair votes aye.

2/B

Vona Walker, Right-of-Way Director, explained that this was in reference to a minute order that had previously been approved and it was regarding Jackson Road, from F.M. 495 north to six hundred feet north of Nolana Loop. Through the minute order, the County of Hidalgo was to provide the right-of-way, for the expansion of this road. Since then, an agreement has been worked out, between the City of McAllen, the City of Pharr and the County, to split this cost three ways, with each entity paying for 1/3 of the cost of the acquisition of the right of way, 1/3 of the cost of the preparation of the right-of-way map and 1/3 of the cost of the appraisals and the title reports. She explained that the Commissioners could either vote for the total cost to come from the County or splitting the cost with the Cities of McAllen and Pharr. Ms. Walker continued by saying that this project would be spread over a several year period and that this minute order was still in force. Commissioner Rosel then asked her what the cost to the County would be, through this agreement and Ms. Walker responded that the estimated cost for the total project is at least \$1 million, so our cost would be one-third of this, if this agreement was approved. The discussion continued with Ms. Walker indicating that the right-of-way would be acquired on the McAllen side of Jackson Road, but the City of Pharr would assist in the project. After further discussion, a motion was made by Commissioner Camarillo and seconded by Commissioner Sanchez, to enter into an interlocal cooperation agreement, between the City of McAllen, the City of Pharr and the County of Hidalgo, as presented.

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 9. PCT. #3:

A. Authorization to declare equipment surplus

A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to authorize the declaration of equipment surplus and authorize the Purchasing Agent, to dispose of said equipment. (NOTE: The equipment, in question, is mostly vehicles such as pickups, a mack truck, a dump truck and a water truck.)

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 10. AUTHORIZATION TO ENTER INTO CONTRACT WITH CITY OF SAN JUAN -
Solid Waste Disposal at Regional Landfill

Commissioner Camarillo explained that the issue of fees, at the landfill, had previously been discussed and he was bringing a contract by the City of San Juan, for the use of the landfill, at the fees that had previously been approved, by this Court. Gilbert Hernandez, the City Manager, for the City of San Juan, then came up and said that the City was amenable to paying the \$15.00 per ton tipping fee. A motion was then made by Commissioner Camarillo and seconded by Commissioner Rosel, to enter into contract with the City of San Juan, for solid waste disposal, at the landfill, at the rates, that were previously adopted.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 11. J.D. SALINAS, Project Coordinator:

- A. Declare real estate & personal property surplus
- B. Appointment of Special Commissioner & authorization to auction

J.D. Salinas informed the Court that he was bringing a resolution before them, to authorize the declaration of four pieces of property surplus, that they be advertised properly, that they be auctioned, through a Special Commissioner Sale, with the appointment of Vona Walker, as special commissioner. Mr. Salinas explained that the tracts of land would be auctioned off through the special commissioner and the personal property would be auctioned off through the Purchasing Department. A motion was made by Commissioner Rosel and seconded by Commissioners Sanchez, to approve the resolution, as presented.

MOTION CARRIED.
SEE "EXHIBIT O"

ITEM 12. APPROVAL OF RESOLUTION APPROVING APPLICATION FOR PRELIMINARY LOAN FOR LOW-RENT PUBLIC HOUSING

Mike Lopez came before the Court requesting permission to apply for a preliminary loan for low-rent public housing. After a discussion with regards to what they were proposing to do with the funds, a motion was made by Commissioner Sanchez and seconded by Commissioner Camarillo, to approve the resolution approving the application for preliminary loan for low-rent public housing.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 13. URBAN COUNTY:

- A. City of Hidalgo - Approval of Professional Services Contract - Water Improvements Year 1993
- B. HOME - First-Time Homebuyer Contract Agreements & Letter of Commitment to Mortgage Company
- C. Approval to enter into Contract with Texas Water Development Board for EDAP feasibility engineering study of El Rancho Sanchez
- D. Approval to enter into contract with RTD & Associates to perform feasibility study for El Rancho Sanchez
- E. Approval of bills

13/A

Anthony Covacevich stated that the City of Hidalgo was asking for approval of a professional services contract, for a water improvement project, with Richard Salinas and Associates, in the amount of \$35,000.00. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve a professional services contract between Richard Salinas and Associates, the City of Hidalgo and the County of Hidalgo, as presented.

MOTION CARRIED.
SEE "EXHIBIT Q"

13/B

Mr. Covacevich presented the names of eighteen applicants who had qualified for the HOME First-Time Homebuyer Program and these were as follows, with their respective mortgage companies:

- | | |
|-----------------|-----------------------------|
| Margarita Reyna | 1st National Bank, Edinburg |
| Osiel Cantu | 1st National Bank, Edinburg |
| Oscar Saldana | Farmers Home Administration |
| Jesus Gonzalez | 1st National Bank, Edinburg |
| Adan Soto | 1st National Bank, Edinburg |
| Javier Carlos | 1st National Bank, Edinburg |
| Juan Guajardo | Texas Commerce Bank |
| Nora Perez | 1st National Bank, Edinburg |

VOI ~~Norma Cano~~
 Manuel Mercado
 Maria Maya
 Irene Botello
 Jose Garza
 Martha Segovia
 Norma Cano
 Graciela Rivera
 Martha Mendoza
 Ismael Gutierrez

Farmers Home Administration
 1st National Bank, Edinburg
 Farmers Home Administration
 Farmers Home Administration
 Farmers Home Administration
 Farmers Home Administration
 Farmers Home Administration
 1st National Bank, Edinburg
 Farmers Home Administration
 Frontera Mortgage

A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve the HOME First-Time Homebuyer applications and the letters of commitment, as presented.

MOTION CARRIED.
 SEE "EXHIBIT Q"

13/C

Mr. Covacevich informed the Court that he would like to request permission to enter into contract with the Texas Water Development Board for a feasibility engineering study, of El Rancho Sanchez, in the amount of \$43,590.00 of which \$10,900.00 will be local match, with one-half being in-kind work and the other half being cash match. A discussion was then ensued by Steve Austin, the County Auditor, regarding how this cash match would be funded and how it should be done, with additional comments concerning the fact that this item should not fall under Urban County. A motion was made by Commissioner Sanchez and seconded by Commissioner Camarillo, to approve a contract between the Texas Water Development Board and the County of Hidalgo for a feasibility engineering study of El Rancho Sanchez.

MOTION CARRIED.
 SEE "EXHIBIT Q"

13/D

A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to enter into contract with RTD & Associates, to perform a feasibility study on El Rancho Sanchez.

MOTION CARRIED.
 SEE "EXHIBIT Q"

13/E

A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve the 1991 Urban County bills #6258 and #6259 totaling \$30,473.89; the 1992 Urban County bills #6260 thru #6262 totaling \$70,509.91; the 1993 Urban County bills #6263 thru #6271 totaling \$16,411.00; and the HOME Program bills #6272 thru #6279 totaling \$145,000.00. The total Urban County memorandum to be approved is in the amount of \$262,394.80.

MOTION CARRIED.

SEE "EXHIBIT Q"

ITEM 14. OFFICE OF EMPLOYMENT & TRAINING:

- A. Concur with award of PY '94-95 II-A and II-C Contracts
- B. Consider & approve appointment of individual to Hidalgo/Willacy SDA Private Industry Council

14/A

Hollis Rutledge, Executive Director, came before the Court to request approval of awards for program year '94-94 for the adult and youth programs. He explained that under these programs a total of twenty-six proposals had been received, of which there were thirteen for each of the adult and the youth programs. He added that they were recommending the approval and concurrence of Commonwealth, South Texas Vo-Tech, from McAllen and South Texas Vo-Tech, from Weslaco, for the Title II-A Program. A discussion then ensued regarding Commonwealth, what they did, who they were, what services they were providing, where they were located, etc., with particular comments from Commissioner Rosel concerning the fact that he did not feel that the majority of the funds should be directed to a new organization. Mr. Rutledge then allowed Dolores Guzman to explain, to the Commissioners, the background of the organization, in question. Commissioner Rosel continued his discussion by bringing up the question of what criteria was used in grading these proposals and the response was that it was the criteria that had previously been brought to Commissioners' Court. Mr. Rutledge then introduced Paul Bazaldua, who explained the curriculum, from Commonwealth, as per their proposal. Mr. Bazaldua also made some additional comments on why the other organizations failed to meet criteria. The discussion continued with Commissioner Arcaute stating that it seemed that they were requesting concurrence, as per OET, rather than from the PIC Board and he was asking for some kind of correspondence, from the PIC that they were recommending, that this action be taken.

Mr. Rutledge then presented the II-C proposals who were from Commonwealth, Donna ISD, Edcouch-Elsa ISD, Goodwill Industries, Mercedes ISD, South Texas Vo-Tech, from McAllen, South Texas Vo-Tech, from Weslaco and Valleyview ISD. After further discussion, a motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve and concur in awarding the PY '94-95 II-A and II-C contracts, as presented.

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

14/B

A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to appoint Mr. Jesus Limon, from Proyecto Azteca, to the Private Industry Council, representing Community Based Organizations.

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 Rosel, that said meeting of Commissioners' Court be hereby adjourned.

MOTION CARRIED.

DRAINAGE DISTRICT
=====

In the absence of the County Judge, the Honorable Abelardo "Lalo" Arcaute, County Commissioner, for Precinct Two, called the Drainage District meeting to order whereupon the following proceedings were had, to-wit:

ITEM 1. PERMIT - City of San Juan

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve a request for permit by the City of San Juan for Loma Linda Estates Subdivision, which will go into the Pharr/San Juan Lateral and it is for a twenty-four inch entrance, draining forty acres, with 12.5 cfs.

MOTION CARRIED.
SEE "EXHIBIT T"

There being no further business to come before the Drainage District, the meeting was adjourned.

THERE BEING NO FURTHER BUSINESS TO COME
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BEFORE SAID COURT, the meetings of the Commissioners' Court and
the Drainage District were hereby adjourned.

J. Edgar Ruiz _____ A B S E N T _____
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 28TH day of JUNE, 1994.

ATTEST:

WILLIAM R. LEO, County Clerk
Hidalgo County, Texas

By: Jennifer Castillo
Jennifer Castillo, Deputy

