

Jenny

**R U I Z**

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, SEPTEMBER 27, 1994 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

NOTICE TO THE PUBLIC

CONSENT AGENDA

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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

1. Approval of Minutes - August 30, 1994  
- August 31, 1994
2. Approval of Bills - County Auditor
3. Approval of Attorney's Fees - \$ 118,565.42
4. Approval of Monthly Fee Reports:
  - A. Brig Marmolejo - \$ 55,979.46 - August
5. Approval of Court Reporter's Fees:
  - A. Sylvia S. Handy - \$ 434.00
6. Request for Voting Machines:
  - A. Lorenzo De Zavala - 02 machines
  - B. E.R. Chapa Elementary - 03 machines
7. Declare equipment surplus:
  - A. J.P. Pct. 4, Pl.2 (Rene Torres) - furniture
8. Planning Department:
  - A. Subdivisions:
    1. Crown Point Estates Phase I Subdivision - Pct. 2
    2. BFI Recycling Addition Subdivision - Pct. 3

# R U I Z

J. EDGAR RUIZ  
HIDALGO COUNTY JUDGE

Consent Agenda  
September 27, 1994  
Page 02

9. Internal Line Item Transfers:

- A. County Clerk
- B. Pct. 2 - paved/unpaved
- C. Pct. 2 - road adm.
- D. Pct. 2 - park
- E. Pct. 2 - county wide shop
- F. Juvenile Probation - gen. fund
- G. Juvenile Probation - state funds
- H. Detention Center
- I. Sheriff Department
- J. County Extension Service
- K. Pct. 3 - paved/unpaved & adm.
- L. Pct. 3 - park
- M. County Court #4
- N. Youth Village

10. Permits:

- A. North Alamo Water Supply - Pct. 1
- B. Sharyland Water Supply - Pct. 3
- C. Coastal States Gas Transmission Co. - Pct. 3
- D. Southwestern Bell Telephone Co. - Pct. 4

Dated this the 23rd day of September, 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 SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, SEPTEMBER 27, 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. Approval & possible action for a Proposal for Drug Prevention Parenting Facilitator Training - Texans' War on Drugs - Sandra Moncevais
2. Human Services, Rudy De La Vina:
  - A. Authorization for line item transfer to extend temporary position until the end of the year
3. Authorization for budget amendment - County Court #4 - \$ 675.00
4. Purchasing Department:
  - A. Award bid for bullet proof vests - Sheriff Department
  - B. Request to advertise for fuel & diesel - County Wide
5. Health Department:
  - A. Declare emergency for a new roof at the Hidalgo County Health Department
  - B. Approval of two (2) state approved positions from Bureau of Women & Children Grant
  - C. Contract between UT-Pan American Nursing Program & Hidalgo County Health Department
  - D. Authorization for budget amendment & set salaries for the remaining 1994 year - \$ 20,873.00
  - E. Authorization to enter into a Lease Agreement between Our Lady Queen of Angel Church & County of Hidalgo
6. J.J. Vela, Traffic Safety Coordinator:
  - A. Authorization to submit Grant Application for Corridor/Integrated Community Traffic Safety Grant
  - B. Allocate funding for Community Corridor Traffic Safety Program
7. Approval to transfer funds for forfeited & void checks to the General Fund - Local Government Code 61.001 (e)
8. Sheriff Department:
  - A. Approval to re-classify position
  - B. Approval of Fee Schedule (effective January 01, 1995)

# RUIZ

J. EDGAR RUIZ  
HIDALGO COUNTY JUDGE

Agenda  
September 27, 1994  
Page 02

9. Pct. #3:
  - A. Change Order - Breyfogle Bridge
  - B. Authorization to advertise for bids for paving at Diamond L Subdivision - 3 3/4 Mi. North Trospen Rd.
  - C. Award bid for Security Services at Anzaldua's Park
10. Pct. #4:
  - A. Resolution authorizing 4-way stop intersection - Alberta & Jackson Roads
11. Planning Department:
  - A. Subdivisions:
    1. Los Cerritos Subdivision - Pct. 4
    2. Vista Bonita Subdivision No.3 - Pct. 4
12. Authorization to advertise for bids for the sale of landfills - County Wide
13. Resolution Supporting the Establishment of a Reciprocal Registration Exemption Agreement between The State of Texas and The State of Tamaulipas
14. Urban County:
  - A. Approval of Criteria & Guidelines for Granting Tax Abatements in Reinvestment & Enterprise Zones
  - B. City of Alamo - HOME - Change Order to correct structural needs
  - C. City of Alton - HOME - Approval to cancel application with Urban County Housing Rehabilitation Program
  - D. Pct. 3 - Approval of Street Improvements Year 7 - Professional Engineering Services Contract
  - E. City of Elsa - Water Treatment Plants Improvements Year 5 & 6 - Fitzgerald Contracting, Inc. - Change Order No.2
  - F. Pct. 1 - Approval of Hauling Contract Award
  - G. City of Alton - HOME - Approval to reject all bids submitted by Gama Construction
  - H. Approval of bills

Dated this 23rd day of September, 1994

# RUIZ

J. EDGAR RUIZ  
HIDALGO COUNTY JUDGE

## NOTICE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a ~~SPECIAL MEETING~~ of the Commissioners' Court will be held on TUESDAY, SEPTEMBER 27, 1994 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

1. Executive Session:

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

A. Review of applications for the position of Sheriff

2. Open Session:

A. Review of applications for the position of Sheriff

Dated this 23rd day of September, 1994

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 27TH day of SEPTEMBER, 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-----

SEPTEMBER 27, 1994

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

CONSENT AGENDA  
=====

ITEM 1. APPROVAL OF MINUTES - August 30, 1994  
August 31, 1994

ITEM 2. APPROVAL OF BILLS - County Auditor  
General Fund - #102904 - #103069 - \$541,401.28  
Special Revenue Fund - #102502 - #102732 - \$348,672.24  
Debt Service Fund - # 940 - # 941 - \$ 3,779.38  
Trust and Agency Fund - # 4343 - # 4345 - \$ 64,896.89  
Enterprise Fund - # 2053 - # 2060 - \$ 2,100.44  
(SEE "EXHIBIT A")

ITEM 3. APPROVAL OF ATTORNEYS' FEES - \$118,565.42  
(SEE "EXHIBIT B")

ITEM 4. APPROVAL OF MONTHLY FEE REPORTS:  
A. Brig Marmolejo - \$55,979.46 - August  
(SEE "EXHIBIT C")

ITEM 5. APPROVAL OF COURT REPORTERS' FEES:  
A. Sylvia S. Handy - \$434.00  
(SEE "EXHIBIT D")

ITEM 6. REQUEST FOR VOTING MACHINES:  
A. Lorenzo De Zavala - 02 machines  
B. E.R. Chapa Elementary - 03 machines  
(SEE "EXHIBIT E")

ITEM 7. DECLARE EQUIPMENT SURPLUS:

- A. J.P. Pct. 4, Pl. 2 (Rene Torres) - furniture  
(SEE "EXHIBIT F")

ITEM 8. PLANNING DEPARTMENT:

A. Subdivisions:

- 1. Crown Pointe Estates Phase I Subdivision - Pct. 2
- 2. BFI Recycling Addition Subdivision - Pct. 3

8/A/1

Crown Pointe Estates Phase I Subdivision is located 1320 feet east from Sugar Road on the north side of El Dora Road, City of Pharr, Precinct Two.  
(SEE "EXHIBIT G")

8/A/2

BFI Recycling Addition Subdivision is located approximately 1/4 mile east of Bryan Road and on the north side of Business Hwy. 83, City of Mission, Precinct Three.  
(SEE "EXHIBIT G")

ITEM 9. INTERNAL LINE ITEM TRANSFERS:

- A. County Clerk - \$10,000.00
- B. Pct. 2 - Paved/Unpaved - \$5,711.47
- C. Pct. 2 - Road Adm. - \$775.01
- D. Pct. 2 - Park - \$4,600.00
- E. Pct. 2 - County Wide Shop - \$900.00
- F. Juvenile Probation - Gen. Fund - \$223.00
- G. Juvenile Probation - State Funds - \$3,187.00
- H. Detention Center - \$7,000.00
- I. Sheriff Department - \$11,500.00
- J. County Extension Service - \$2,000.00
- K. Pct. 3 - Paved/Unpaved & Adm. - \$36,500.00
- L. Pct. 3 - Park - \$1,500.00
- M. County Court #4 - \$979.00
- N. Youth Village - \$14.75

(SEE "EXHIBIT H")

ITEM 10. PERMITS:

- A. North Alamo Water Supply - Pct. 1
- B. Sharyland Water Supply - Pct. 3
- C. Coastal States Gas Transmissions Co. - Pct. 3
- D. Southwestern Bell Telephone Co. - Pct. 4

10/A

In Precinct One, North Alamo Water Supply is requesting a permit for a six inch water line in Eastland Park Orchard Estates and one inch water lines for Texas Valley Estates Unit No. 1, on Mile 10. (SEE "EXHIBIT I")

10/B

In Precinct Three, Sharyland Water Supply is requesting a permit for one inch water lines to cross Bentsen Palm Drive, south of F.M. 676; an eight inch line to go north along Cantu Road, from F.M. 1925, for 2,000 feet; and a four inch line to go south along Bryan Road, from F.M. 1924 for approximately 1,500 feet. (SEE "EXHIBIT I")

10/C

In Precinct Three, Coastal States Gas Transmissions Co. is requesting a permit to place a cathodic ground bed along Mile 11 Road, west of its intersection with Abram Road. (SEE "EXHIBIT I")

10/D

In Precinct Four, Southwestern Bell Telephone Co. is requesting a permit to bury a cable along Rooth Road, beginning at S.H. 107 and going south 17 feet. (SEE "EXHIBIT I")

The County Judge began by asking 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 Camarillo and seconded by Commissioner Arcaute, to approve the Consent Agenda, as presented.

MOTION CARRIED.  
SEE "EXHIBITS A-I"

Judge Ruiz then announced that tomorrow morning, at 9:30 AM, there would be a public hearing, with respect to the proposed tax rate.

REGULAR AGENDA  
=====

- ITEM 1. APPROVAL & POSSIBLE ACTION FOR A PROPOSAL FOR DRUG PREVENTION PARENTING FACILITATOR TRAINING - Texans' War on Drugs - Sandra

## Moncevais

Sandra Moncevais, Regional Coordinator, for the Texans' War on Drugs Program, came before the Court and gave a brief presentation on what their program was about. She highlighted that unlike other programs, the main focus of their program is the parents and parent groups. She was at this time asking for funds, in the amount of \$3,200.00, in order to sponsor two facilitator trainees, who would later implement the program "with the population which they service". She added that the program was in Spanish and is video-based. The County Judge then inquired on the results of this program, in the community, with additional questions, from the Commissioners. A discussion then ensued with regards to the Confiscated Funds budget, during which Judge Ruiz mentioned that there was no fund balance, in this account, at this time. This in itself would pose a problem in the future, when our regular drug programs, such as Palmer Drug Abuse and Horizons of Mission, come to Court requesting monies, totaling approximately \$280,000.00, for the coming year. He continued by telling the Commissioners that they would have to think about which ones they were going to fund, as these programs would have to be funded from the General Fund. After further discussion, the County Judge recommended that none of these types of programs be given any commitment and that Commissioners' Court consider allocating some funds, from the General Fund for this. A motion was then made by Commissioner Sanchez and seconded by Commissioner Arcaute, to take the proposal on Texans' War on Drugs, for drug prevention training; the proposal is requesting \$3,200.00, from Commissioners' Court, now to be taken UNDER ADVISEMENT and discussed at a future date.

MOTION CARRIED.  
SEE "EXHIBIT J"

Judge Ruiz then mentioned that the District Attorney, as well as Travis Heister, were in Court at this time and he would like to interrupt the order of the agenda, and acquire an update on the situation of the Sheriff's Office. Mr. Heister, the County Legal Counsel, then recommended that this issue be discussed in Executive Session, as it entailed pending litigation. Judge Ruiz then asked the Commissioners if there was a consensus to call for an Executive Session and they agreed. Judge Ruiz then declared an emergency and called for an Executive Session, pursuant to Chapter 551, of the Texas Government Code, to discuss litigation.

After the Executive Session, the County Judge called the Court back into Open Session and stated that based on discussions, the request at this time was to give authorization and to direct the County Attorney, Mr. Travis Heister, and the District Attorney, Mr. Rene Guerra, to request, from the Court of Appeals, an expedited appeal in order to appeal the issue rendered by Judge Fernando Mancias. He added that this Commissioners' Court reserves the right to pull the appeal and the pro-

cess at any point in time, by Commissioners' Court action and that this appeal will be on the agenda, on the following meeting of Commissioners' Court. Upon a motion by Commissioner Arcaute and a second by Commissioner Sanchez, it carried unanimously. (NOTE: Commissioner Camarillo stated that he would concur with the motion, with reservations, because he felt that this issue has taken too long.)

MOTION CARRIED.

ITEM 2. HUMAN SERVICES, Rudy De La Vina:

- A. Authorization for line item transfer to extend temporary position until the end of the year

Rudy De La Vina, Executive Director, came to Commissioners' Court requesting approval of a line item transfer of \$2,591.58 be approved. This was a position that had been created previously and he would like to keep her on, in order to assist in filing and getting records prepared for the State audit. The monies for this transfer would be coming from the Long Haul Ambulance Services line item. After a discussion regarding the duties of this temporary position, as well as, the present workload of the Agency, a motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to authorize a line item transfer in order to extend a temporary full-time position, in the Department of Human Services; the line item transfer amounts to \$2,591.58.

MOTION CARRIED.  
SEE "EXHIBIT K"

ITEM 3. AUTHORIZATION FOR BUDGET AMENDMENT - County Court #4 - \$675.00

Judge Ruiz explained that according to the request from County Court at Law Judge Leticia Hinojosa it was for travel and the training of the Court Coordinator. The amount is for \$675.00. A discussion then ensued with regards to paying for the training of employees, as well as the cost of the training, a motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to approve a budget amendment of \$675.00 for the County Court at Law No. 4, for travel of the Court Coordinator.

MOTION CARRIED. (COMMISSIONERS ROSEL AND SANCHEZ VOTED IN FAVOR OF THE  
SEE "EXHIBIT L" MOTION; COMMISSIONERS CAMARILLO AND ARCAUTE VOTED  
AGAINST THE MOTION; JUDGE RUIZ VOTED IN FAVOR.)

## ITEM 4. PURCHASING DEPARTMENT:

- A. Award bid for bullet proof vests - Sheriff Department
- B. Request to advertise for fuel & diesel - County Wide

4/A

Judge Ruiz informed the Court that this was an item that had been taken under advisement previously, and it was for bullet proof vests for the Sheriff's Department. He mentioned that the bid was for one hundred fifty (150) vests, and the reason for the request was that the present vests were out of warranty and this could pose a liability issue. Commissioner Sanchez then asked if these vests could be refurbished and used again, and Dick Dickinson, from the Sheriff's Department stated that due to the materials this was not possible. Mary Maldonado, the Purchasing Agent, indicated that the low bid was from G.T. Distributors, out of Austin, and it was in the amount of \$541.76 per vest. Judge Ruiz then recommended that, due to current budget discussions, that they award seventy-five (75) vests to be purchased from the Fund Balance, through a budget amendment, which would amount to approximately \$41,000.00 and that the remaining seventy-five (75) vests be placed on the 1995 budget, to be purchased January 1. This he felt would help the department this year and the budget next year. A discussion then ensued with regards to funds that were needed for this as well as for other departments, in terms of operation, salaries, etc., and the effect that it would have on the current budget. Commissioner Rosel also inquired as to who would be using these vests and Dick Dickinson stated that they would be utilized basically by the patrol. Judge Ruiz then brought up a plan by the Sheriff's Department that would put out more deputies on patrol, but this plan would require some additional vehicles. Commissioner Sanchez asked Mr. Dickinson if there was some way that this cost could come out of the Sheriff's Department and the response was that in the past some of these expenses had been taken care of through confiscated funds. After further discussion, a motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to authorize the bid award of the purchase of one hundred fifty (150) bullet-proof vests, to G.T. Distributors; seventy-five (75) to be purchased from this year's budget, by making a budget amendment of \$41,000.00 and seventy-five (75) be purchased, effective January 1st, from the 1995 budget; this item to be budgeted within the Sheriff's Office budget; this contingent on the price being consistent with the vendor.

MOTION CARRIED.  
SEE "EXHIBIT M"

4/B

On the advertisement for gas and diesel fuel, the County Judge recommended that they be very specific on what type of tanks and fuel pumps were needed, also an estimation of the amount of fuel that they would be needing, etc. After a brief discussion, regarding the specifications, a motion was made by Commissioner Camarillo and seconded by Commissioner Sanchez, to authorize the advertising for bid for the purchase of fuel and diesel, County Wide; bid opening October 26, bid award November 1.

MOTION CARRIED.  
SEE "EXHIBIT M"

ITEM 5. HEALTH DEPARTMENT:

- A. Declare emergency for a new roof at the Hidalgo County Health Department
- B. Approval of two (2) state approved positions from Bureau of Women & Children Grant
- C. Contract between UT-Pan American Nursing Program & Hidalgo County Health Department
- D. Authorization for budget amendment & set salaries for the remaining 1994 year - \$20,873.00
- E. Authorization to enter into a Lease Agreement between Our Lady Queen of Angel Church & County of Hidalgo

5/A

Dr. Omar Garza explained that they have had problems with the roof for some time now, and he would like authorization to declare an emergency and have it repaired. He added that in the past it has been spot repaired, to no avail and he would like for the whole roof to be replaced. In response to a question by Commissioner Arcaute regarding the cost, Ofelia Espinoza stated that she had acquired some quotes, at the request of the County Judge and the lowest quote was at about \$55,000.00. Commissioner Arcaute then recommended that they go out for bids and this was followed with a discussion regarding whether or not the County Shop employees could do this repair, as well as the possible change in the design of the roof. After further discussion, the County Judge recommended that some plans and specs be prepared, by an architect, being Ed Alvarado and Commissioner Arcaute disagreed by saying that they allow the Buildings and Grounds personnel a chance to look at it and maybe come back with a determination of whether or not they can do the job. The discussion then continued with the need of the architect, after which a motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to hire an architect to provide the proper specifications and recommendations; further that they hire Ed Alvarado to do this work.

MOTION CARRIED.  
SEE "EXHIBIT N"

5/B

Dr. Garza explained that the money from the COPC was put together with the Bureau of Women and Children Grant, this year and they have approved new new positions, to come from State funds. These positions are a Grants Writer and a Computer Systems Specialist, with the Computer Systems Specialist, also having some Grants Writer training. Judge Ruiz then stated that he was glad that they have included a grant writer, as this person could assist them in possibly acquiring additional funds, for the County Health Department. He, however, had

some reservations, on the Computer Specialist positions, as the County already had a Computer Department. Dr. Garza responded to this by saying that they have had some trouble with the computers and in getting them maintained by the County Computer Department and that was why they needed someone, in-house, to take care of their computer needs. Judge Ruiz then mentioned that he was concerned with the County Computer Department not maintaining the computers at the Health Department and Dr. Garza mentioned that previously they had had a JTPA student who had been taking care of their computers. A discussion then ensued with regards to the work performance of the County Computer Department, in the repair and maintenance of the computer equipment, at the Health Department, as well as in other County Departments. During this discussion, Commissioner Arcaute commented that maybe we should do away with the County Computer Department and allow each department to hire their own computer technician and Dr. Garza concurred. After further discussion, a motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to create two positions, a Grant Writer and a Computer Systems Specialist/Assistant Grant Writer, at annual salaries of \$30,000.00 and \$25,000.00 respectively.

MOTION CARRIED.  
SEE "EXHIBIT N"

5/C

Ms. Espinoza indicated that this was a renewal and it was for the UT-Pan Am nursing trainees, to observe. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to authorize a contract renewal to UT-Pan American Nursing Program and the County of Hidalgo Health Department, for their educational components.

MOTION CARRIED.  
SEE "EXHIBIT N"

5/D

Ms. Espinoza explained that the Health Department will begin to render services at the new Sullivan City Health Clinic and they need to set salaries for the personnel. The positions and salaries involved, for the remainder of the year, are as follows:

- One (1) RN Supervisor \$8,500.00
- One (1) LVN \$5,064.00
- One (1) Clerk \$3,300.00

A discussion then ensued on the problems that they have had, in opening this clinic, since its completion, a couple of years ago. Commissioner Rosel was in favor of hiring the personnel to man this clinic, but the issues of need, distance and budgetary factors, were brought up time and again. Ms. Espinoza stated that the WIC Program had already set up at this clinic, and Commissioner Rosel brought up the issue of the need for this clinic, with the County Judge bringing up the budgetary issue, saying that in order to fund these positions, they would have to make cuts elsewhere, and this usually entailed cuts in other departments. After further discussion, Commissioner Rosel made a motion, which was seconded by Commissioner Sanchez, to create three new positions; one RN

(09/27/94)

at \$32,000.00, one LVN at \$20,257.00 and one clerk at \$13,200.00, annually; for these positions it would require a budget amendment in the amount of \$20,873.00, through December 31, 1994.

MOTION REJECTED. (COMMISSIONERS ROSEL AND SANCHEZ VOTED IN FAVOR OF  
SEE "EXHIBIT N" THE MOTION; COMMISSIONERS CAMARILLO, ARCAUTE AND  
THE COUNTY JUDGE VOTED AGAINST THE MOTION.)

The County Judge interrupted the regular order of the Court and allowed Mr. Rene Guerra, the District Attorney to make a request from this Commissioners' Court, for a motion and an order to exempt him from filing a bond, for the court costs, on the appeal to Corpus Christi, on the 93rd District Court litigation. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, in order to allow the District Attorney to continue in his effort to appeal the decision, by Fernando Mancias, this Commissioners' Court waives and exempts him from filing a court cost bond.

MOTION CARRIED.

**\*\*THE COURT NOW RETURNED TO ITS REGULAR ORDER OF BUSINESS\*\***

5/E

J.D. Salinas reported that he, along with Legal Counsel, have gotten together, with the City of La Joya, in setting up a health clinic in the La Joya area. Presently these services were being taken care of at the La Joya City Hall, where the health clinic was housed. He added that due to the need for additional space, by the City of La Joya, he has been trying to locate some space where the health clinic can be housed. He explained that he did find some, at Our Lady Queen of Angels Church, with the rent being \$7,200.00 per year. Judge Ruiz then stated that the previous Commissioner of Precinct Three, had requested some monies to renovate the space at City Hall, for both the health clinic and the WIC Program, this being a five to seven year lease agreement. He added that since that time, the WIC Program has moved out and the City of La Joya needs the space presently occupied by the health clinic. The City of La Joya has agreed to supply the materials needed for this renovation, which will be done by County JTPA staff. Commissioner Arcaute then stated that if the City of La Joya truly wanted a health clinic in their area that they should pay the rental fees. Judge Ruiz addressed the concern of the need, which he agreed was there, but with this new contract, the County was losing about three years of free rent. A discussion was then ensued, by Commissioner Rosel, with regards to the need for a health clinic in the La Joya area, after which a motion was made by Commissioner Arcaute and seconded by Commissioner Camarillo, to TABLE the action.

MOTION CARRIED. (COMMISSIONERS ARCAUTE, CAMARILLO AND THE COUNTY JUDGE SEE "EXHIBIT N" VOTED IN FAVOR OF THE MOTION; COMMISSIONERS ROSEL AND SANCHEZ VOTED AGAINST THE MOTION.)

- ITEM 6. J.J. VELA, Traffic Safety Coordinator:
  - A. Authorization to submit Grant Application for Corridor/Integrated Community Traffic Safety Grant
  - B. Allocate funding for Community Corridor Traffic Safety Program

6/A

J.J. Vela, Traffic Safety Coordinator, came before the Court to request authorization to submit the grant application for the Corridor/Integrated Community Traffic Safety Grant. He mentioned that as per the instruction from this Commissioners' Court, he went to the Cameron County Commissioners' Court to ask for assistance in funding this program. He continued by saying that since they had created some new positions, they did not have any money at this time, they were however willing to assist with office space and a secretary position, for a six-month grant. The cost to Hidalgo County, for this six months, would be \$4,250.00. Commissioner Rosel, again, was in favor of funding this program, as it was needed in this County, but the main issue here was that this program had previously been funded through confiscated funds, which, since then, have been depleted. After a brief discussion a motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to REJECT this item. (NOTE: Judge Ruiz voted in favor, however he reserves the right to bring this item back to Commissioners' Court if some funding alternatives are found.)

MOTION CARRIED. (COMMISSIONERS CAMARILLO, ARCAUTE AND THE COUNTY JUDGE SEE "EXHIBIT O" VOTED IN FAVOR OF THE MOTION; COMMISSIONERS ROSEL AND SANCHEZ VOTED AGAINST THE MOTION.)

6/B

NO ACTION NECESSARY.

ITEM 7. APPROVAL TO TRANSFER FUNDS FOR FORFEITED & VOID CHECKS TO THE GENERAL FUND - Local Government Code 61.001 (e)

Steve Austin, the County Auditor, indicated that there is a new State law which addressed outstanding checks for jury pay, and it basically states that these checks are considered forfeited, after a certain time. He was at this time presenting a total amount of \$36,874.00, in outstanding checks, over 90 days. A motion was then made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize the transfer of \$36,874.00 and also increase the void check fund from \$5,000.00 to

\$25,000.00.

MOTION CARRIED.  
SEE "EXHIBIT P"

ITEM 8. SHERIFF DEPARTMENT:

- A. Approval to re-classify position
- B. Approval of Fee Schedule (effective January 01, 1995)

8/A

Chief Dick Dickinson came before the Court requesting that a Radio Technician position be reclassified to an Identification Technician. He added that the need for the request was that in the past eighteen months they have had a backlog of items that require identification and preparation for evidence. He mentioned that presently they have one ID technician and being that this person is so overworked the need for this reclassification is justified. Commissioner Sanchez then asked him if the radio technician position was justified and Chief Dickinson responded that this is just a question of priorities. A discussion then ensued on this issue, after which, a motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize the reclassification of a position created as a Radio Technician, it now changes to Identification Technician.

MOTION CARRIED.  
SEE "EXHIBIT Q"

8/B

Chief Dickinson explained that they were requesting approval of the new Sheriff's Fees, for process. He added that they have been increased somewhat, to conform to fees elsewhere in the State. After a brief discussion, on the number of fees that would change, a motion was made by Commissioner Arcaute and seconded by Commissioner Camarillo, to approve the Constable and Sheriff fee schedule, as presented.

MOTION CARRIED.  
SEE "EXHIBIT Q"

ITEM 9. PCT. #3:

- A. Change Order - Breyfogle Bridge
- B. Authorization to advertise for bids for paving at Diamond L Subdivision - 3 3/4 Mi. North Trosper Rd.
- C. Award bid for Security Services at Anzaldua's park

9/A

A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to approve the change order, for Breyfogle bridge for guardrails and that Precinct Three will pay for half of the total cost of the guardrails, which is \$1,445.00.

MOTION CARRIED.  
SEE "EXHIBIT R"

9/B

A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to authorize the advertising for bids for the paving at Diamond L Subdivision; bid opening October 19, bid award October 25th.

MOTION CARRIED.  
SEE "EXHIBIT R"

9/C

Commissioner Rosel explained that he had been advised to look at the other bid for security services, at Anzaldua's Park. This other bid was from International Executive Security and as per Ms. Vona Walker, this was the low bid, and they have not only provided their \$1 million liability insurance, but workers' compensation, as well. She added that there is a one-time charge of \$335.00, and after that the rate is \$8.00 per hour per man and \$1.50 per hour per car. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to award the bid for security services, at Anzaldua's Park, to International Executive Security and that the contract take effect on or before the 1st of October of 1994.

MOTION CARRIED.  
SEE "EXHIBIT R"

ITEM 10. PCT. #4:

- A. Resolution authorizing 4-way stop intersection - Alberta & Jackson Roads

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve a resolution authorizing a four-way stop intersection, at the intersection of Alberta and Jackson Roads.

MOTION CARRIED.  
SEE "EXHIBIT S"

ITEM 11. PLANNING DEPARTMENT:

- A. Subdivisions:

1. Los Cerritos Subdivision - Pct. 4
2. Vista Bonita Subdivision No. 3 - Pct. 4

11/A/1

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve the plat of Los Cerritos Subdivision, which is located 8.6 miles north of Edinburg on the west side of U.S. Hwy. 281, in the rural area of the County, in Precinct Four.

MOTION CARRIED.  
SEE "EXHIBIT T"

11/A/2

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve the plat of Vista Bonita Subdivision No. 3, which is located on the northwest corner of Davis Road and Doolittle Road, City of Edinburg, Precinct Four.

MOTION CARRIED.  
SEE "EXHIBIT T"

ITEM 13. RESOLUTION SUPPORTING THE ESTABLISHMENT OF A RECIPROCAL REGISTRATION AGREEMENT BETWEEN THE STATE OF TEXAS AND THE STATE OF TAMAULIPAS

Judge Ruiz informed the Court that, through this resolution, he believed the City of Weslaco, was trying to "champion its economic development". After a brief discussion, a motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve the resolution supporting the establishment of a reciprocal registration exemption agreement between the State of Texas and the State of Tamaulipas.

MOTION CARRIED.  
SEE "EXHIBIT V"

ITEM 12. AUTHORIZATION TO ADVERTISE FOR BIDS FOR THE SALE OF LANDFILLS - County Wide

Judge Ruiz informed the Commissioners that they had talked about this during workshops. It entailed two landfills, one which was owned by the County and the other which was being leased by the County. He added that the reason for this action, was due to the difficulty in acquiring the permit, and the changes in the law. His recommendation at this time was "to sell both landfills...land, building, equipment and permit, in Precinct Four; permit and lease, in Precinct Three..give it thirty days, actually accept bids, along with all its liabilities of

landfills, because both landfills have been used and see if there is an adequate bid submitted to this Commissioners' Court". After a brief discussion, a motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to authorize the advertising for bids for discovery for the landfills, primary two landfills, one in Precinct Four and one in Precinct Three; bid opening October 25th, bid award November 1.

MOTION CARRIED.  
SEE "EXHIBIT U"

ITEM 14. URBAN COUNTY:

- A. Approval of Criteria & Guidelines for Granting Tax Abate-ments in Reinvestment & Enterprise Zones
- B. City of Alamo - HOME - Change Order to correct structural needs
- C. City of Alton - - HOME - Approval to cancel application with Urban County Housing Rehabilitation Program
- D. Pct. 3 - Approval of Street Improvements Year 7 - Profes-sional Engineering Services Contract
- E. City of Elsa - Water Treatment Plants Improvements Year 5 & 6 - Fitzgerald Contracting, Inc. - Change Order No. 2
- F. Pct. 1 - Approval of Hauling Contract Award
- G. City of Alton - HOME - Approval to reject all bids submit-ted by Gama Construction
- H. Approval of bills

14/A

Anthony Covacevich, Urban County Director, reported that every two years, if the County desires, must renew it tax abatement policies. He added that in the proposed renewal, they have added enter-prise zones, as well as, included a chapter which will allow the County to join other taxing entities, in the abatement of taxes in their areas. A discussion then ensued, with regards to the pros and cons of having a tax abatement policy, and this was followed by a motion Commissioner Rosel and seconded by Commissioner Arcaute, to approve criteria and guide-lines for granting tax abatements in reinvestments and enterprise zones, initiated by the County of Hidalgo.

MOTION CARRIED.  
SEE "EXHIBIT W"

14/B

Mr. Covacevich indicated that the City of Alamo was re-questing approval of a change order, to the contract with Lerma Con-struction. The change order on the housing rehabilitation project will be a total of \$675.00, which is an increase to the original contract. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve the change order to correct structural needs, under the HOME Program, City of Alamo.

MOTION CARRIED.  
SEE "EXHIBIT W"

14/C

Mr. Covacevich requested that this item be tabled. A motion was then made by Commissioner Arcaute and seconded by Commissioner Rosel, to TABLE Item C, approval to cancel application with Urban County Housing Rehabilitation Program.

MOTION CARRIED.  
SEE "EXHIBIT W"

14/D

Mr. Covacevich stated that Precinct Three was asking permission to enter into engineering contract services with Hinojosa Engineering, in the amount of \$46,716.00. A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to award a professional service contract with Hinojosa Engineering and the County of Hidalgo; contract amount \$46,716.00, for street improvements Year 7.

MOTION CARRIED.  
SEE "EXHIBIT W"

14/E

The City of Elsa was requesting permission to enter into a change order number two with Fitzgerald Contracting, Co. The change order is an increase of \$19,335.71, bringing the total contract amount to \$1,516,119.71. The County is entitled to pay 20% of this amount which is \$3,867.14, with the remaining balance being paid by EDA. A motion was made by Commissioner Sanchez and seconded by Commissioners Arcaute and Camarillo, to approve change order number two, as presented.

MOTION CARRIED.  
SEE "EXHIBIT W"

14/F

Precinct One is requesting approval of a contract with Carlos Castillo, for hauling, in the amount of \$75.00 per load. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to authorizing a hauling contract with Carlos Castillo at a rate of \$75.00 per load, for Mile 4 West, Mile 2 West, Midway Village and Hutto Road.

MOTION CARRIED.  
SEE "EXHIBIT W"

14/G

Under the City of Alton HOME Housing Rehab project, the bids came in over the amount budgeted, so therefore they were requesting that all bids be rejected and that they have permission to readvertise. A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, reject all bids received for the housing rehabilita-

tion program, for the City of Alton and authorize the readvertisement for bids.

MOTION CARRIED.  
SEE "EXHIBIT W"

14/H

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve the 1992 Urban County bills #6713 and #6714 totaling \$36,066.75; the 1993 Urban County bills #6715 thru #6729 totaling \$56,194.31; the 1994 Urban County bills #6730 and #6731 totaling \$34,528.57; the 1993 Emergency Shelter Grant bill #6731 in the amount of \$2,342.60; the Colonia II Program bill #6733 in the amount of \$437.50 and the 1992 HOME Program bills #6734 thru #6736 in the amount of \$15,000.00. The total Urban County memorandum to be approved is in the amount of \$144,569.73.

MOTION CARRIED.  
SEE "EXHIBIT W"

ADD. 1. EXECUTIVE SESSION:

A. Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Governmental Code, Section 551.074 to discuss the following matter:

1. Review of application for the position of Sheriff

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

NO ACTION.

ADD. 2. OPEN SESSION:

A. Review of applications for the position of Sheriff

Judge Ruiz explained that there will be no action, at this time and they will continue to review the applications.

NO ACTION.

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.

(09/27/94)

VOL 0174 PAGE 243

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 27TH day of SEPTEMBER, 1994.

ATTEST:

WILLIAM R. LEO, County Clerk  
Hidalgo County, Texas

By: Jennifer Castillo Deputy  
\_\_\_\_\_

