

RUIZ

Jenny

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, OCTOBER 04, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 - September 06, 1994
2. Approval of Bills - County Auditor
3. Request for Voting Machines:
 - A. La Joya ISD - 02 machines
 - B. Progreso Middle School - 02 machines
 - C. McAllen Memorial High School - 04 machines
4. Pct. #2:
 - A. Authorization to declare equipment surplus (trade-in on purchase of backhoe)
5. Planning Department:
 - A. Subdivisions:
 1. Las Palmas Del Valle Subdivision - Pct. 1
 2. Rag-Lin Subdivision - Pct. 1
6. Permits:
 - A. North Alamo Water Supply - Pct. 1 & 4
 - B. Southwestern Bell Telephone - Pct. 2 & 4
7. Internal Line Item Transfers:
 - A. Pct. 2 - paved/unpaved
 - B. County Court at Law #1
 - C. District Clerk
 - D. Adult Probation - Boot Camp
 - E. Human Services - Rudy De La Vina

Dated this the 30th day of September, 1994

RUIZ

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

CORRECTED

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, OCTOBER 04, 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 of Contract between Hidalgo County Detention Facilities Corporation & County of Hidalgo
2. Resolution declaring the Solid Waste Treatment & Landfill Facilities & Associated Real & Personal Property surplus & authorize a Special Commissioner's Sale
3. Authorization to appoint Purchasing Policy Revision Committee
4. Authorization to appoint Architect for Renovation of Health Department Administrative Office
5. Authorization for transfer of funds in Acct. #4-010-413-100.03:
 - A. Abolish position #5 in Acct. #4-010-413-100.03 by \$ 4,375.00 & increase position #8 by \$ 416.67 - prorated salary for 2 1/2 months & transfer \$ 416.67 to position #1 in acct. #4-010-465-000.02 - prorated for 2 1/2 months & set salaries
 - B. Authorization & approval of Speed (STEP) Grant & Community/Corridor Traffic Safety Program Grant
 - C. Approval to transfer \$ 2,715.43 from Acct. #4-010-413-100.03 for Local Match of Speed (STEP) & Community/Corridor Traffic Safety Program Grants & set salary
 - D. Reduce position #3 in Acct. #4-010-413-100.03 to \$16,000.00 & increase position #4 by \$2,500.00, increase position #2 in Acct. #4-010-465-000.03 by \$2,500.00 & increase position #2 in Acct. #4-010-419-600.03 by \$1,000.00 & Set Salaries annually
6. Adult Probation Department:
 - A. Authorization to advertise for bids on a 1995 15-passenger van
 - B. Approval of Community Justice Assistance Grant - Boot Camp
 - C. Request approval of effective Management Development Program between Hidalgo County CSCD & the Management Connection
7. Health Department:
 - A. Discussion & action on Personnel at the La Joya & Sullivan City Health Clinics
 - B. Action for budget amendment to fund the creation of new positions at Health Clinics
 - C. Authorization to enter into Lease Agreement between Our Lady Queen of Angel Church & County of Hidalgo

RUIZ

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HIDALGO COUNTY JUDGE

Agenda
October 04, 1994
Page 02

8. Sheriff Department:
 - A. Budget Amendment for bullet proof vests - \$ 40,632.00
9. Budget Amendments:
 - A. County Court #2 - \$ 580.00
 - B. 332nd Dist. Court - \$ 3,525.00
 - C. Court Reporters' Fees - \$ 3,000.00
10. Approval of Court Reporters' Fees:
 - A. Mark A. Kvapil - \$ 2,970.00
 - B. J.G. Aldrette - \$ 322.00
11. WIC:
 - A. Approval to remove from inventory list - One (1) Packard Bell Computer
 - B. Approval of Contract between Texas Department of Health & Hidalgo County WIC Program for FY 94-95
 - C. Approval of Proposed Budget for WIC & Immunization Initiative
12. Juvenile Probation Department:
 - A. Acceptance of the 1995 Criminal Justice Division Grant (Purchase of Juvenile Services - \$ 38,993.00)
13. County Clerk:
 - A. Authorization to waive bidding process for purchasing of Election Material for 1994 General Election
14. J.D. Salinas, Project Coordinator:
 - A. Removal of items from the forfeited assets inventory list
15. Pct. #4:
 - A. Authorization to declare 1983 Ford Truck salvage & release to insurance company
 - B. Transfer of equipment to Sheriff's Department from Pct. 4 Traffic Control
16. Planning Department:
 - A. Subdivision:
 1. Abe Subdivision Unit No.1 - Pct. 3
 - B. Final Plat Approval:
 1. La Homa Heights Unit No.3 - Pct. 3
 - C. Preliminary Plat Approval:
 1. Sioux Road Subdivision Phase I - Pct. 2
 2. Escondido Terrace - Pct. 3
 - D. Release of Letter of Credit:
 1. Country Breeze Subdivision - Pct. 3

RUIZ

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Agenda
October 04, 1994
Page 03

17. Urban County:

- A. City of Alton - HOME Cancellation Case #AL 92-02
- B. City of Mercedes - Professional Services Contract (Engineering - Year 7)
- C. City of Mercedes - Change Order No. 1 - Amigos Del Valle - \$ 11,150.00
- D. CDBG Nexus Agreement with Colonias Del Valle, Inc.
- E. Approval to enter into Contract with Mission Service Project & Proyecto Azteca
- F. HOME - First-time Homebuyer Contract Agreements & Letter of Commitment to Mortgage Company
- G. Contract Award - System Software
- H. City of Edcouch - HOME Construction Contract Award
- I. Pct. 3 - Authorization to advertise for street paving
- J. Approval of bills

18. Community Service Agency:

- A. TDOA - Continuation Grant 94-95
- B. MTP Contract Amendments No. 2 & 3

Dated this 30th day of September, 1994 6:30 p.m.

R U I Z

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE
NOTICE

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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
- B. Discuss Appeal on 13th Court of Appeals on Sheriff's position

2. Open Session:

- A. Review of applications for the position of Sheriff
- B. Discussion and action on Appeals to 13th Court of Appeals on Sheriff position

Dated this the 30th day of September, 1994 6:30 p.m.

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, OCTOBER 04, 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. Request for Audience:
 - A. C.J. Villarreal - Drainage Ditch approximately 1 Mile South of Hwy. 107 & Bentsen & Taylor Rds.
2. Budget Amendment

Dated this 30th day of September, 1994 6:30 p.m.

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 4TH day of OCTOBER, 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:

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OCTOBER 4, 1994

Vol 0175 Page 086

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

The County Judge began by announcing that a public hearing would be held next week, October 10, at the Regular meeting of Commissioners' Court, with regards to the 1995 budget, tax rate and salaries of elected officials. He also mentioned that Governor Ann Richards would be in the Valley, during which she would be visiting the Adult Boot Camp, at 2:30 PM, on Thursday.

CONSENT AGENDA

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ITEM 1. APPROVAL OF MINUTES - September 06, 1994

ITEM 2. APPROVAL OF BILLS - County Auditor

General Fund	- #102070	- #103244	- \$1,016,132.10
Special Revenue Fund	- #102733	- #102929	- \$ 890,690.25
Trust and Agency Fund	- # 4346	- # 4347	- \$ 340,129.05
Enterprise Fund	- # 2061	- # 2063	- \$ 3,932.20

(SEE "EXHIBIT A")

ITEM 3. REQUEST FOR VOTING MACHINES:

A. La Joya ISD - 02 machines

B. Progreso Middle School - 02 machines

C. McAllen Memorial High School - 04 machines

(SEE "EXHIBIT B")

ITEM 4. PCT. #2:

A. Authorization to declare equipment surplus (trade-in on purchase of backhoe)

(SEE "EXHIBIT C")

ITEM 5. PLANNING DEPARTMENT:

A. Subdivisions:

1. Las Palmas Del Valle Subdivision - Pct. 1
2. Rag-Lin Subdivision - Pct. 1

5/A/1

Las Palmas Del Valle Subdivision is located between Mile 8 North Road and Expressway 83, on the east side of Mile 1 East Road, City of Mercedes, Precinct One.
(SEE "EXHIBIT D")

5/A/2

Rag-Lin Subdivision is located 396 feet south from Mile 9 North Road, on the west side of Mile 5 West Road, City of Weslaco, Precinct One.
(SEE "EXHIBIT D")

ITEM 6. PERMITS:

- A. North Alamo Water Supply - Pcts. 1 & 4
- B. Southwestern Bell Telephone - Pcts. 2 & 4

6/A

In Precinct One, North Alamo Water Supply Corporation is requesting a permit for two inch water line road crossings in Las Brisas and Country View Subdivisions. In Precinct Four, they are requesting permission for a four inch water line to go along Brushline Road beginning at F.M. 2812 and going north for 2,200 feet.
(SEE "EXHIBIT E")

6/B

In Precinct Two, Southwestern Bell Telephone is requesting a permit to lay a cable along Minnesota Road for 711 feet, then north on Tower Road for 2,264 feet. In Precinct Four, they are requesting permission to go along Sugar Road, beginning at Owassa Road and going north for 470 feet.
(SEE "EXHIBIT E")

ITEM 7. INTERNAL LINE ITEM TRANSFERS:

- A. Pct. 2 - Paved/Unpaved - \$19,000.00
- B. County Court at Law #1 - \$260.00
- C. District Clerk - \$945.97
- D. Adult Probation - Boot Camp - \$6,000.00
- E. Human Services - Rudy De La Vina - \$50,000.00

(SEE "EXHIBIT F")

Judge Ruiz then 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 Arcaute and seconded by Commissioner Rosel, to approve the Consent Agenda, as presented.

MOTION CARRIED.
SEE "EXHIBITS A-F"

REGULAR AGENDA
=====

THE FOLLOWING ITEM IS IN VERBATIM FORMAT

ITEM 1. APPROVAL OF CONTRACT BETWEEN HIDALGO COUNTY DETENTION FACILITY CORPORATION & COUNTY OF HIDALGO

JUDGE RUIZ

The first item on the agenda is approval of a contract between Hidalgo County Detention Facility Corporation and the County of Hidalgo. Commissioners, this is, ah, a resolution that has been, in essence, reviewed, ah, a few times between our office, ah, Legal Counsel and the Corporation. They have, ah, sent a, a, a signed contract of, of something that they feel they would make comfortable and basically outlines, in essence their, their role and responsibilities on terms of, ah, the proposed detention facility. Ahm, I'm hoping that the Commissioners' Court read this very carefully, ah, I think that, again, it does outline, it's, it's, it's responsibilities, I think that by, by accepting this resolution, we give them the clear authority that they have been looking for, as far as being the sole, ahm, decision makers, in professional service contracts, in, in feasibility studies, in financing and, and eventually the construction. I want to make, wanted to make sure because I know that the questions, the questions that have come up during public workshops and things like that, in terms this, I think that with this resolution, this project firmly falls on their hands.

COMM. ROSEL

When you first adopted the resolution creating the Corporation, there was a set of, ah, well there was some authorization that was given to them in that resolution; and what we're doing here, in, in, I believe, ah, number seven, it says that, ah, this, this, ah contract that

we're, that we're accepting today "supersedes all prior"...

JUDGE RUIZ

Yes.

COMM. ROSEL

Anything prior, okay.

JUDGE RUIZ

Any comment, any action, any, any, any resolution, by Commissioners' Court or otherwise.

COMM. ROSEL

Okay. The other thing, in number six, it also states that we can terminate this, ah, Corporation, ah, upon written notice at anytime and it also says that, ah, anyone who's working under that Corporation will be terminated at that particular time. In other words, our liabilities are not to carry on those particular, ah, agents who are presently under the Corporation.

TRAVIS HEISTER

That's correct.

COMM. ROSEL

Then, but, the thing is that and I think it needed to be cleared up, is the fact that any, ah, particular agent that's doing work will be paid up to the time that we cease or we terminate the Corporation. Is that correct?

TRAVIS HEISTER

They're, they're the ones that are responsible for paying them, but you're, you're paying them \$100,000.00 to accomplish some, ah, activities and they're, ah, they're, they are the people responsible for contracting, for those activities and you do not enter into the contracts between them and their professionals or them, their, ah, or their agents; and I assume, that they will be paid also, but that's between them and the Corporation, not the County Commissioners' Court. You would, you would hope that they wouldn't...

JUDGE RUIZ

Travis, do you interpret this contract to give them authority to do the work within the realm of the limits of \$100,000.00?

TRAVIS HEISTER

No necessarily.

JUDGE RUIZ

Okay.

TRAVIS HEISTER

It's giving them \$100,000.00 to, to get started and do certain information to come back with a report and to, to do other activities that's needed, but there may be, ah, additional funds

that may have to be advanced, pursuant to this agreement. This, this may, I mean, this is not the only money, that you may have to spend in this area, but you're basically contracting with them like you would, say, ah, an independent contractor who performs a service for you.

JUDGE RUIZ

See, my concern is, is, ah, I have, I have some concerns over the \$100,000.00 expenditures, but I've voiced that previously in terms of my opposition to this feasibility study; but, but at the same time, I think that Commissioners' Court should have concern on, on future contracts, ahm, because of, of that particular issue that you're talking about, Commissioner Rosel, saying, "well, if we break relationships, we'll just owe what they've, to the contractor what they've done".

TRAVIS HEISTER

We don't owe anything, to the contractor and that's very clear, in that agreement. We do not owe, Commissioners' Court, Hidalgo County is paying them a sum of money to do a service, what they do is perform that service, they're an independent contractor, they're not an agent of Hidalgo County, at all.

JUDGE RUIZ

All right, so, let me, let me, let me do a scenario to you, Travis. If tomorrow, the Corporation enters into contractual agreement with an architect or an engineer, project manager, etc., etc., okay, and they do six months of work and come six months, this Commissioners' Court decides to break the relationship between the Corporation; do we assume that contract?

TRAVIS HEISTER

Only if you want to.

JUDGE RUIZ

We do not have to? Now, now, let me ask you this, what happens to that Corporation and what happens to that architect that's put six months or work?

TRAVIS HEISTER

That's between the architect and the Corporation.

COMM. CAMARILLO

Judge, is that a...

TRAVIS HEISTER

That's the way the contract is drafted. Now, events occur, you understand, which which hopefully will not alter that relationship but that's the way it's designed to be created. The Corporation is an entity separate and apart from Hidalgo County and, and, and, and they're per-

forming services like an independent contractor, to go out and say....

JUDGE RUIZ

So, if I were the contractor, I'd sue the Corporation, because they've entered into a contract with me and...

TRAVIS HEISTER

That's the way it's intended to be, if we are brought into the lawsuit, well, we would say, "we have an independent relationship" and we'd go back to this contract and say, "we're not responsible"...

COMM. ROSEL

Perhaps.

TRAVIS HEISTER

...and whether or not that would...

COMM. ROSEL

We'd need to put in...

TRAVIS HEISTER

That's the way it's designed to be.

COMM. ROSEL

...a clause, ah, we need to put in a, a clause there that says that, that, ah, we're to give them at this present time a, the sum of one hundred thousand dollars for the specific, ah, stu., feasibility study or needs assessment, whatever you want to call it, and at that time that we can come back and, and renew or give them some type of authority, at that particular time; because...

TRAVIS HEISTER

It doesn't limit you from not doing that, you don't have to do that.

COMM. CAMARILLO

Judge, isn't that scenario that you're talking about, is addressed on, on, on four, paragraph four?

COMM. ARCAUTE

That's the one I'm looking at.

COMM. CAMARILLO

To me, the way I interpret that is that the Corporation is the sole and responsible entity, ah, and, ah, contracts or personnel that's got some service providing to, ah, that particular...

JUDGE RUIZ

Oh, I understand what you're saying and, and it's, it's very clearly saying that the County can break that, that relationship. My question is, on, on that particular scenario, do you want to do that to that Corporation? I mean, you know, you're, you're, you're, you're sort of giving with one hand, left hand knowing that you

Vol 0175 Page 092

can take away with your right.

COMM. ARCAUTE

Yeah.

JUDGE RUIZ

And leave them with a tremendous amount of liability, I mean, ah...

COMM. ROSEL

Exactly, that's what I was concerned about, over the \$100,000.00.

JUDGE RUIZ

You see, you see what I'm saying, Commissioner. I mean...

COMM. CAMARILLO

Ah, it's a serious situation, I, I grant you that.

JUDGE RUIZ

You're, you're putting them at odd, way on the.., my concern is this, and, and, and basically because of, they, they are not a, a, nor a taxing body nor, nor, nor have a, an ability to raise funds aside through Commissioners' Court, ah, for this Corporation, I mean. Ahm, a similar incident, ah, a comparable incident, insi.., ah, incident happened in Sharyland schools. Sharyland schools entered into a contract with an architectural firm, where they would, ah, do design work and that, that sixty percent of, of, of payment is design. Consequently what happened is the bond issue didn't pass and there was no money, that they were stuck with 60% of, of \$8 million, which is \$480,000.00 and they had to pay and they did; and they have no school and they have a set of plans for a school, costs \$480,000.00. See, that can conceivably happen to the Corporation or to Commissioners' Court, because no matter what happens, I think that Corp.., that architect, that engineer, that attorney, that project manager will file a lawsuit with the Corporation and, definitely, enjoin Commissioners' Court; because we created that Corporation. There's no question this resolution, no question distance ours, distance this Commissioners' Court and the County government from this Corporation.

TRAVIS HEISTER

It does everything we can -----

JUDGE RUIZ

To distance, but it...

TRAVIS HEISTER

You have to do that also by not going in and telling them, "now, you do it this way or you do it this way or do it that way", you, you don't direct or supervise them, you just say this is,

this is the end result we want, but you don't want to go in and direct or supervise or control the situation, because then, if, that's why, I was saying that there, there may be ways to come in and hold you liable for some of this. If you get into the middle of it and, which could easily happen.

JUDGE RUIZ

I, I want to make sure. Two things happen, two very important things, and possible three. There's no question that by accepting this resolution, you are defining the roles and responsibilities, number one. Secondly, you are distancing ourselves, from them, okay and thirdly, you cannot tell them what to do, because of the distance, because breaking that, if you try to tell them what to do directly or indirectly, then you become liable.

TRAVIS HEISTER

That's right.

JUDGE RUIZ

So, after this resolution there is no reason, why they should come back to Commissioners' Court, there is no reason.

COMM. ARCAUTE

I don't see that as a very...

TRAVIS HEISTER

This provides, if they do come before Commissioners' Court, with a report or something.

COMM. CAMARILLO

I have a concern with that, because it's this Commissioners' Court who's got to answer to the Jail Standards Commission, and being that we're under the barrel for, or we have been under the barrel for a long time, you need to expedite...

JUDGE RUIZ

Well, let me, let me, maybe I went too, maybe I went too far.

COMM. CAMARILLO

Well, I think you did.

COMM. ROSEL

Let's say it again.

JUDGE RUIZ

I'm saying they could come here, they could come here and make a report, but we can't tell them what to do.

COMM. ROSEL

But ultimately we control the dollars and cents.

JUDGE RUIZ

Well...

COMM. CAMARILLO

No.

JUDGE RUIZ In essence, in essence, we do yes, we do, because we can say...

COMM. CAMARILLO We gave them \$100,000.00.

JUDGE RUIZ ..."I tell you what, I tell you what, I don't like what you're doing and we're breaking this, this relationship now and go away."

COMM. ROSEL It costs to much or whatever.

JUDGE RUIZ Yeah.

COMM. ROSEL Alternatives.

JUDGE RUIZ But, again, what happens there is we are, Commissioner, good morning, ah, we are putting those five citizens, that we appointed in a very precarious situation.

COMM. ROSEL Yeah, a position of liability.

JUDGE RUIZ And in a position of liability, without a doubt.

COMM. ROSEL Judge, I, I think, we need to do some pondering on this, and...

COMM. ARCAUTE Yes, a lot of it.

JUDGE RUIZ I really believe you need, we need to really think about this, because, again it, it serves two very positive things, and, and to me three. You're, you are giving them rules and regulations, roles and responsibilities, you are giving them the distance and the authority, ah, at the same time, ah, they are accepting tremendous liability...

COMM. ROSEL Exactly.

JUDGE RUIZ All right and, and, and, ah, and we are placed in a position, us to them being advisory, versus them to us, which was the original intent. You want to think about it a little bit.

COMM. ROSEL You want to table it.

COMM. ARCAUTE Yes.

COMM. ROSEL I think so.

COMM. ARCAUTE I, I'd like to. I, what was the, ah, was there

another agreement before this one.

JUDGE RUIZ

I think there was a...

TRAVIS HEISTER

This is the original agreement that was sent to them and they came back and, I think with a proposal...

JUDGE RUIZ

No.

COMM. CAMARILLO

No.

JUDGE RUIZ

No, I think Lalo is talking about when the Corporation was created.

TRAVIS HEISTER

Oh, I don't know, I can't...

JUDGE RUIZ

I think there was, I think there was some...

TRAVIS HEISTER

There may have been some resolutions passed.

JUDGE RUIZ

Basically the intent of this Corporation would be of, to be a financing vehicle. That was the original intent, it was never intended to do, take full responsibility of the project.

COMM. ARCAUTE

Right, that, that's my understanding; that's why...

COMM. CAMARILLO

That was my understanding, too.

JUDGE RUIZ

That was the original.

COMM. ARCAUTE

That was not their, their, ah...

COMM. ROSEL

In other words, they took the steering wheel, when they were asked to take a ride with it.

COMM. ARCAUTE

Yeah.

COMM. ROSEL

I can see the intent.

COMM. CAMARILLO

I was under the assumption that by creating this Corporation, we would expedite the, the, the, ah, the building of the new facility...

JUDGE RUIZ

Well...

COMM. CAMARILLO

...in order not to go into, ah, a bond election and, and deal with an election, ah, date and all of that.

JUDGE RUIZ Ahm, I don't think that this contract, by not taking any action, at this point in time, Travis, would have any effect on, I think, a contract that they've already signed or in process of signing with, with a feasibility study. I think...

TRAVIS HEISTER I have no idea. I, I just...

JUDGE RUIZ Have they signed that, does anybody know if they've signed that contract?

COMM. ROSEL No sir, I really don't know. We need to discuss it with them.

COMM. CAMARILLO I think they did.

COMM. ROSEL They did?

COMM. ARCAUTE They did.

COMM. CAMARILLO I think they did, they had a, they've had already a, at least three meetings that I know of.

JUDGE RUIZ I think they've signed it, too. I just haven't seen a copy of the contract; ah, but, ah, I don't think it would, not taking any action would not prohibit that. Now, I know I received an updated deadline, ah, or, or, ah, outlined their dates for this study and it's my understanding that they're talking about probably December 15th, to get results.

COMM. CAMARILLO Oh, my God.

JUDGE RUIZ Ah, so, and I think I've sent copy of that to you all, so you might check your..., I, I'm gonna...

COMM. ARCAUTE (INAUDIBLE)

JUDGE RUIZ Yes sir, Commissioner.

COMM. ARCAUTE It says, have we given them the \$100,000.00?

COMM. CAMARILLO Yes.

JUDGE RUIZ Yes, we have.

COMM. SANCHEZ Yes.

JUDGE RUIZ By, by Commissioners' Court action.

COMM. ARCAUTE Yeah, I was just thinking about giving them money, actually giving them the money. Corporation agrees,...

JUDGE RUIZ I don't know how Travis takes care of, I mean, Steve, what, do you, just appropriate that to them or...

STEVE AUSTIN Judge, I do not believe we processed the check, yet; ah, Commissioners' Court has appropriated the money, for the Corporation and, you know again, and, and I'm sure that the Corporation when they enter into a contract with whomever, will take similar, make similar provisions in their contracts, regarding, ah, funding, current funding and future funding, similar to those types of contracts that we have with our grants, with the State. For example, if the State comes in and says we're not gonna fund this contract, then, you know, we're out that money and we need to stop that program, ah...

JUDGE RUIZ Yeah.

STEVE AUSTIN ...I don't know, but we still have the money.

COMM. ROSEL Well, I think in the best interest of the Corporation and members of the Corporation, I think we need to, ourselves and, discuss with them the position that, that they're presently in and, for their protection; and I think we need to table this and can, discuss it with them.

COMM. ARCAUTE And they talk about presenting that report in its, "on its studies, plans and feasibility of County, on or before November 1, 1994". I mean, and it, ah...

JUDGE RUIZ That's contradictory to this, to, to the outline that they sent. That, that says December.

COMM. CAMARILLO Isn't there a way that, not to take any action on this item and, and rather than tabling it or, probably a couple of weeks to go over it with them.

COMM. ARCAUTE Why don't we take it over ourselves and just, just let the Commissioners' Court do all of this. This is presenting nothing but, but bringing up questions and, and problems and, and I can see the, ah, it's gonna get a little bit complicated here. If, if we totally isolate

that Corporation, I don't think that was the intent of the Commissioners' Court to do that; 'cause we're the ones that are ultimately gonna end up with this, this facility and if we have an agreement or a contract that says that we have to lease it from that Corporation, we're the ones that are gonna be stuck. So, I think we should have a hand, a hand in it and if this is gonna create that, I, I say we just dissolve the Corporation and let the Commissioners' Court do it all.

COMM. SANCHEZ

Does the Corporation schedule any meetings, ah, with the Court as they did prior, Judge?

JUDGE RUIZ

No, they have not, ah, although, I think, we can very easily request one and I think that they're what their intent or their next meeting was, was when, when they received the completed study, by the, by the, ah, engineers, architects, ah, and that would be sometime in December.

COMM. SANCHEZ

Could we not, ah, could you not call a meeting...

JUDGE RUIZ

Yeah.

COMM. SANCHEZ

...so that we could clarify the status at this point and firm up those dates, whether it's November or December and at the same time, clarify the, ah, the actually appropriation of the dollars. I was under the impression that, as they incurred costs, they would then submit the bills and they would be paid up to a hundred thousand.

JUDGE RUIZ

Drawed down.

COMM. SANCHEZ

Let's just draw down the money as they needed it.

JUDGE RUIZ

And I think we should do that, just.., do you want...

COMM. CAMARILLO

I like Commissioner Arcaute's idea, but, ah, I, I, I'd like to sit down with them on a, in a work session and, and dissolve it.

COMM. ARCAUTE

We already tried...

COMM. CAMARILLO

I, I'm not gonna be here, but I, I can sense that you people are going to have problem later on.

COMM. ARCAUTE We, we already tried that and, ah, ah...

COMM. SANCHEZ I think it really behooves us to, to meet with them quickly and clarify this right away, so we can either take the action that Commissioner Arcaute is recommending...

TRAVIS HEISTER Well, I'm gonna...

COMM. SANCHEZ Can we do that?

TRAVIS HEISTER ...make it clear, you do it yourself, of course, you're responsible for everything, that you, that you do, that, that's a given. If they do it, then you can still be responsible for what they do and the contracts they make, if you're, if you're in a sense giving them direction and supervision and, and exercising control over their decision-making in their, in performing these functions.

JUDGE RUIZ But they would become advisory at that point in time.

TRAVIS HEISTER They, they would be just, they would be, they would be going out and making contracts and by your actions you could be responsible, or the County would be responsible, could be responsible for those contracts, for the, for the rest of them, you know, if there's liability on those contracts, the County could, could, could be responsible if they're involved in exercising control over their decisions.

JUDGE RUIZ Why would you wanna do that?

TRAVIS HEISTER They have to be independent and the, you can't have it both ways, you know, is what I'm trying to say.

JUDGE RUIZ I know, that's exactly...

TRAVIS HEISTER I want you to understand that before you go into any meeting...

JUDGE RUIZ Yeah.

TRAVIS HEISTER ...that you can't just sit there and say, "well, you know, we're gonna tell you what to do and you go do it and you go contract with people, but we're not going to be liable for those contracts, you just can't, ah"...

accomplish this, bids would be accepted up until November 30th. Mr. Heister then clarified that this would be sold through a special commissioner's sale to be held on November 30th. Commissioner Arcaute asked if the bids would be awarded on that date and Judge Ruiz responded that they would be brought to Commissioners' Court for review. Commissioner Camarillo also asked if a bidder could bid on only one location and the response was that it could be done. A motion was then made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve the resolution declaring the solid waste treatment and landfill facilities and associated real and personal property surplus and authorizing a special commissioner, for said sale; this commissioner according to resolution is Vona Walker and the resolution to be approved as corrected.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 3. AUTHORIZATION TO APPOINT PURCHASING POLICY REVISION COMMITTEE

The County Judge explained that this item has been discussed previously and due to some changes in the purchasing law, he was recommending that a committee be appointed to review, evaluate and possibly make some necessary changes in the County purchasing policies. He was at this time recommending that Commissioner Sam Sanchez, along with the County Auditor, Steve Austin, and Mary Maldonado, the Purchasing Agent, be appointed to this committee. A discussion then ensued with regards to the need for legal assistance, during which Judge Ruiz stated that if any legal interpretation were needed by this committee, then they would be afforded the use of the County Legal Counsel. Mr. Austin also argued that more members of Commissioners' Court should be appointed to the committee and Judge Ruiz replied that if any other Commissioner was wanting to join, they were free to do so. After a brief discussion, with regards to some of the issue that would be discussed, a motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to to authorize and approve the purchasing policy revision committee, composed of Commissioner Sam Sanchez, the County Auditor, Steve Austin, and the County Purchasing Agent, Mary Maldonado. (NOTE: Judge Ruiz then directed that when this committee holds their meetings, that they be posted, in advance, for the sake of the public.)

MOTION CARRIED.

ITEM 4. AUTHORIZATION TO APPOINT ARCHITECT FOR RENOVATION OF HEALTH DEPARTMENT ADMINISTRATIVE OFFICE

Judge Ruiz informed the Court that this issue was discussed the previous week, where various scenarios were brought up and at this time

he would like to recommend the architectural services of Mr. Ed Alvarado, to draw some plans and specifications, for the renovation of the health department administrative offices. After this is done, he added then they would bring it back to Commissioners' Court, in order to decide whether it would require a turn-key job through a contractor or a turn-key job through County employees. This is basically for the roof at the administrative offices. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to appoint Mr. Ed Alvarado as architect for the renovation and restoration of the roof at the Health Department and exempt him from the bidding procedure, as a professional.

MOTION CARRIED.

- ITEM 5. AUTHORIZATION FOR TRANSFER OF FUNDS IN ACCT. #4-010-413-100.03:
- A. Abolish position #5 in Acct #4-010-413-100.03 by \$4,735.00 & increase position #8 by \$416.67 - prorated salary for 2 1/2 months & transfer \$416.67 to position #1 in acct. #4-010-465-000.02 - prorated for 2 1/2 months & set salaries
 - B. Authorization & approval of Speed (STEP) Grant & Community Corridor Traffic Safety Program Grant
 - C. Approval to transfer \$2,715.43 from Acct. #4-010-413-100.03 for Local Match of Speed (STEP) & Community/Corridor Traffic Safety Program Grants & set salary
 - D. Reduce position #3 in Acct. #4-010-413-100.03 to \$16,000.00 & increase position #4 by \$2,500.00, increase position #2 in Acct. #4-010-465-000.03 by \$2,500.00 & increase position #2 in Acct. #4-010-419-600.03 by \$1,000.00 & set salaries annually

The County Judge indicated that under this item he would explain items A, B and C together, as it was all related to the Traffic Safety (STEP) Program Grant and the Community Corridor Traffic Safety Program. He mentioned that this item had been discussed last week, with the main concern being a budget amendment to fund this program. He was at this time bringing this alternative to funding these grants, by adjusting the general fund and not amending it. In order to do this, he was wanting to eliminate position #5 from the County Judge's Office, and this money would be used to match these grants, along with the match for these programs, there would be some remaining funds which he would like to utilize in increasing the salaries of two administrative assistant positions. Along with the approval of the grants, he would also request that the salaries within the grants be set at \$28,000.00 for the coordinator and \$12,600.00 for the clerical position. The two administrative positions would be increased, as follows: one at \$29,300.00 and the other at \$29,562.00, both annual salaries. Position #5 would be abolished by \$4,375.00, which is the amount necessary for the grant match; to increase positions #8 and #1, each by \$416.67.

A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve the Speed (STEP) grant and the Community/Corridor Traffic Safety grant programs.

MOTION CARRIED.
SEE "EXHIBIT I"

5/A

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to abolish position #5 in Acct #4-010-413-100.03 by \$4,735.00 and increase position #8 by \$416.67 to be prorated for two and a half months and transfer \$416.67 to position #1 in acct. #4-010-465-000.02 also to be prorated for two and a half months and set salaries.

MOTION CARRIED.
SEE "EXHIBIT I"

5/C

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve the transfer of \$2,715.43 from account #4-010-413-100.03 for the local match of these two particular grants and set the salary of the Director at \$28,000.00 and the clerical position at \$12,600.00.

MOTION CARRIED.
SEE "EXHIBIT I"

5/D

He continued by saying that item "D" was also in relation to salaries and he added that his secretary had tendered her resignation. He was wanting to reduce this salary, to \$16,000.00, in order to give salary increases, for the calendar year to three secretarial positions, in his office. Two positions set at \$13,000.00 and one position set at \$14,650.00 annually. A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve item 5/D, as presented.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 6. ADULT PROBATION DEPARTMENT:

- A. Authorization to advertise for bids on a 1995 15-passenger van
- B. Approval of Community Justice Assistance Grant - Boot Camp
- C. Request approval of effective Management Development Program between Hidalgo County CSCD & the Management Connection

6/A

Joe Lopez, Adult Probation Director, came before the Court requesting authorization to advertise for a 1995 fifteen passenger van for the Restitution Center. A motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to authorize the advertising for bids for the purchase of a 1995 fifteen passenger van for the Adult Probation; bid opening October 26, bid award November 1.

MOTION CARRIED.
SEE "EXHIBIT J"

6/B

Mr. Lopez then continued by saying that he was also requesting approval of the Community Justice Assistance Grant, for the Boot Camp. He indicated that when he originally presented his budget to this Commissioners' Court, there were some funds that he had requested for four additional positions, at the Boot Camp. He reported that after continued pursuit, he was finally funded, an amount of \$83,500.00, thru a separate grant. He added that with this money he would hire four drill corporals, at an annual salary of \$16,800.00, each. A motion was then made by Commissioner Camarillo and seconded by Commissioner Arcaute, to approve the Community Justice Grant, as presented, creating the position of four assistant drill instructors, as the salary of \$16,800.00.

MOTION CARRIED.
SEE "EXHIBIT J"

6/C

Mr. Lopez also reported that he was requesting approval of an agreement to conduct an effective management development program, which was funded in his supervision budget. He added that this was a ten week program, whereby a consultant would come in and work with the staff one day a week and the agreement would be with Management Connection, out of Bryan, Texas. A discussion then ensued with regards to the amount of the contract and the fact that this service was not bidded out. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorization to enter into contractual agreement for a management development program, between Management Connections and the County of Hidalgo, through its Adult Probation Department; the proposal is for \$14,400.00 and also to exempt them from the bidding procedure, under professional services.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 7. HEALTH DEPARTMENT:

- A. Discussion & action on Personnel at the La Joya & Sullivan City Health Clinics
- B. Action for budget amendment to fund the creation of new

positions at Health Clinics

C. Authorization to enter into lease agreement between Our Lady Queen of Angel Church & County of Hidalgo

7/A

Judge Ruiz explained that he had placed this item on the agenda, because he wanted to see if they could solve the problem at the La Joya and Sullivan City health clinics. He wanted to begin with a concern regarding the La Joya clinic, which has been closed. Dora Longoria then proceeded to respond by saying that since the loss of the supervisor and the LVN at the La Joya clinic, they have continued to provide immunization services, every Monday, from 8 AM to 5 PM and preventive treatment on Wednesdays. She added that they have not been able to provide the other services, as there is no RN on staff. Judge Ruiz then asked her if the problem was due to the RN vacancy or the fact that they could not hire an RN and Ms. Longoria explained that they had filled all the RN positions, with the exception of this one and it was basically due to the distance. Judge Ruiz then asked Dr. Omar Garza, the County Health Director, what was needed to acquire an RN and an LVN, in that area and the Doctor responded that the Commissioners' Court had already done what it could by increasing the salaries and Ms. Longoria added that what they needed was someone who had at least one year experience in public health. After further discussion the topic shifted to the clinic in Sullivan City and the possible staffing of this clinic versus the one located in La Joya, which would have to be renovated. During this discussion Judge Ruiz indicated that his interpretation of the problem was that he felt uncomfortable closing one clinic for the other and he was still in favor of serving both locations, with one staff. He was at this time recommending one new position, this being a clerical position, in Sullivan, for intake, phone calls, scheduling, etc., also to allow a signing bonus of \$500.00 for each of the RN and the LVN, plus \$100.00 a month auto allowance, to work in both the La Joya and Sullivan City clinics. He then asked the Health Department staff if this would assist in enticing an RN and an LVN to serve in that area and the response was that it possibly could. Commissioner Camarillo concurred with the idea, with the exception of the auto allowance, because he felt that in the future, someone else would be requesting this allowance, as well. After further discussion, Commissioner Sanchez asked the Health Director, if there was a need in the La Joya area, to merit this request and Ms. Longoria responded that the need was probably greater in La Joya, as this clinic had more patients, than the Sullivan clinic. The discussion then continued, with the County Judge changing his recommendation, to creating a clerical position for the Sullivan City clinic, that they provide as an incentive a one-time only, and only because of the distance, that they offer one RN and one LVN slot, a \$2,000.00 increase, only for working in this area, on a split shift basis, from Sullivan City to La Joya. A motion was then made by Commissioner Rosel and seconded by Commissioner Sanchez, to authorize the establishment of a new position, a clerical position, to be established in Sullivan City clinic, at a rate of pay of \$13,200.00 annually; secondly, that we take a particular RN slot and raise it by \$2,000.00 annually and an LVN slot also raising it by

\$2,000.00 annually; with the condition that they are going to work in the La Joya-Sullivan area.

MOTION CARRIED.
SEE "EXHIBIT K"

7/C

Judge Ruiz then brought up the issue of the La Joya clinic. He briefed them on the agreement with the City of La Joya to use the city hall building for both the WIC Program and the Health Department. He was at this time recommending the renovation and the acceptance of the agreement with Our Lady Queen of Angel Church to accept the lease, have our crews and JTPA staff renovate this site and take the offer from the City to buy all the material necessary for the renovation. After a brief discussion, a motion was made by Commissioner Rosel and seconded by Commissioners Sanchez and Camarillo, to mutually break a lease agreement with the City of La Joya and to approve a lease agreement with Our Lady Queen of Angel Church and the County of Hidalgo, through its Health Department; the renovation of this particular building will be done by the manpower of the County of Hidalgo and JTPA; all material costs will be borne by the City of La Joya.

MOTION CARRIED.
SEE "EXHIBIT K"

7/B

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to fund the clerical position, RN and LVN and approve a budget amendment, of \$5,200.00.

MOTION CARRIED.

ITEM 8. SHERIFF DEPARTMENT:

A. Budget Amendment for bullet proof vests - \$40,632.00

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve a budget amendment for the purchase of bullet-proof vests in the amount of \$40,632.00.

MOTION CARRIED.
SEE "EXHIBIT L"

Captain Dick Dickinson then gave a brief explanation of an item that was made part of the exhibits, which indicated the deployment of the patrol personnel and vehicles.

ITEM 9. BUDGET AMENDMENTS:

- A. County Court #2 - \$580.00
- B. 332nd Dist. Court - \$3,525.00
- C. Court Reporters' Fees - \$3,000.00

9/A

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve a budget amendment in the amount of \$580.00, for County Court at Law No. Two, this is for postage.

MOTION CARRIED.
SEE "EXHIBIT M"

9/B

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve a budget amendment, for the 332nd District Court, in the amount of \$3,525.00.

MOTION CARRIED.
SEE "EXHIBIT M"

9/C

Judge Ruiz explained that of the requested budget amendment for court reporters' fees, \$1,500.00 would be used to pay existing bills and the balance would be used for upcoming bills. He added that this account may require an additional \$10-\$15,000.00, till the end of the year, but at this time they were only requesting an amendment of \$3,000.00. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve court reporters' fees budget amendment in the amount of \$3,000.00.

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 10. APPROVAL OF COURT REPORTERS' FEES:

- A. Mark A. Kvapil - \$2,970.00
- B. J.G. Aldrette - \$ 322.00

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve payment to court reporters' fees to Mark Kvapil and J.G. Aldrette, as presented.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 11. WIC:

- A. Approval to remove from inventory list - One (1) Packard Bell Computer
- B. Approval of contract between Texas Department of Health & Hidalgo County WIC Program for FY 94-95
- C. Approval of Proposed Budget for WIC & Immunization Initiative

11/A

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to authorize the removal of a Packard Bell computer from the WIC's inventory, as presented.

MOTION CARRIED.
SEE "EXHIBIT O"

11/B

Norma Longori, WIC Director, explained that this was the renewal contract for the renewal of services for FY 95, which is effective from October 1 through September 30, 1995. She mentioned that the sliding for reimbursement remains the same, but they've had an increase in their immunization budget and due to the encouragement of expansion, the State will reimburse them the monthly equivalent of six months rent. A motion was then made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve the contract between the Texas Department of Health and Hidalgo County, through its WIC Program, for fiscal year 1994-1995.

MOTION CARRIED.
SEE "EXHIBIT O"

11/C

Ms. Longoria informed the Court that this item was basically to set up the budget for fiscal year 94-95 for WIC and the Immunization Initiative. For WIC, the budget was \$2,874,773.14 and for the Immunization Initiative budget the amount is \$745,558.64. Judge Ruiz then asked her if there were any changes in the budget and Ms. Longoria replied that there were not, and the salaries would not be receiving an increase until January. The County Judge then asked if this Court had previously approved a salary increase and Ms. Longoria replied that a three percent increase had been approved, in August. A discussion then ensued with regards to the proposed five percent increase that Ms. Longoria would be giving her staff, over and above the three percent that had previously been approved. After further discussion the County Judge recommended that they approve the budget, with the condition that no salary will be given until it comes back to Commissioners' Court for further review. A motion was made by Commissioner Camarillo and seconded by Commissioner Sanchez, to approve a budget of \$2,874,773.14 for WIC and \$745,558.64, as the Immunization budget, with no salary increase being approved, until further consideration by Commissioners' Court.

MOTION CARRIED.
SEE "EXHIBIT O"

Ms. Longoria then addressed the issue of the incentive pay for the Health Department personnel, at the La Joya and Sullivan Clinics.

ITEM 12. JUVENILE PROBATION DEPARTMENT:

- A. Acceptance of the 1995 Criminal Justice Division Grant
(Purchase of Juvenile Services - \$38,993.00)

Mr. Buddy Silva, Juvenile Probation Director, came before the Court requesting approval of the 1995 Criminal Justice Division Grant, which was a purchase of juvenile services grant totaling \$38,993.00. He mentioned that this grant did not require a match, and it was used to provide services to the youth referred to his department. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to approve the purchase of juvenile services through the Criminal Justice Division Grant, in the amount of \$38,993.00.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 13. COUNTY CLERK:

- A. Authorization to waive bidding process for purchasing of Election Material for 1994 General Election

Billy Leo, County Clerk, came before the Court requesting the waiving of the bidding procedure, to Hartforms, for the purchase of the election materials for the November General Election. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to authorize the County Clerk to purchase all material and needs, from Hartforms, for the General Election to be November 8th, 1994, declaring an emergency and waiving the bidding procedure.

MOTION CARRIED.
SEE "EXHIBIT Q"

ITEM 14. J.D. SALINAS, Project Coordinator:

- A. Removal of items from the forfeited assets inventory list

J.D. Salinas informed the Court that these items were from "a major round-up of seized properties on November 17, 1993". He stated that during this "round-up" one of their Mega Zoom 76 cameras had been misplaced and he would like to declare this item surplus. In addition, to this request, he is also asking that fifteen items seized, which were subsequently taken when the forfeited residence at 113 Marigold

was burglerized, also be declared surplus, and these items include furniture and electronic equipment. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize the removal of all of items from the forfeited assets inventory list, to begin with a Mega Zoom 76 camera, that was purchased through HIDTA Grant monies, but was misplaced and also about fifteen items that were taken from 113 Marigold, in McAllen; that these items be removed from our forfeited assets inventory list.

MOTION CARRIED.
SEE "EXHIBIT R"

ITEM 15. PCT. #4:

- A. Authorization to declare 1983 Ford Truck salvage & release to insurance company
- B. Transfer of equipment to Sheriff's Department from Pct. 4 Traffic Control

15/A

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to authorize the declaration of salvage a 1983 Ford pick-up and authorize the release to the insurance agent's settlement in lieu of an accident for \$1,288.00.

MOTION CARRIED.
SEE "EXHIBIT S"

15/B

Commissioner Camarillo explained that he was requesting authorization to transfer a vehicle, that had been previously been used by the County Highway Patrol, to the Sheriff's Department, as they were in need of some vehicles. A motion was then made by Commissioner Camarillo and seconded by Commissioner Rosel, to authorize the transfer of vehicle, a 1992 Ford Crown Victoria, along with radio, camera, life bars, double barrel radar, mobile radio and a jet sonic emergency light bar, to the Sheriff's Department.

MOTION CARRIED.
SEE "EXHIBIT S"

ITEM 16. PLANNING DEPARTMENT:

- A. Subdivision:
 - 1. Abe Subdivision Unit No. 1 - Pct. 3
- B. Final Plat Approval:
 - 1. La Homa Heights Unit No. 3 - Pct. 3
- C. Preliminary Plat Approval:

- 1. Sioux Road Subdivision Phase I - Pct. 2
- 2. Escondido Terrace - Pct. 3
- D. Release of Letter of Credit:
 - 1. Country Breeze Subdivision - Pct. 3

16/A

A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to approve the plat of Abe Subdivision Unit No. 1, which is located on the northeast corner of State Highway 107 and F.M. 2993, City of McAllen, Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT T"

16/B

A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to give final approval to the plat of La Homa Heights Unit No. 3, which is located approximately one mile north of the & Mile Line and on the east side of La Homa Road, in rural area of the County, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT T"

16/C/1

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to give preliminary approval to the plat of Sioux Road Subdivision Phase I, which is located on the northeast corner of Border Road and Sioux Road, in the rural area of the County, in Precinct Two; preliminary approval is subject to the following items:

- 1) the installation of all street sign(s), traffic control device(s) and testing of the street(s) be done in accordance to the Hidalgo County Subdivision Regulations, before final approval and recording of the subdivision plat;
- 2) will need a letter from North Alamo Water Supply Corp. and addressed to the Commissioners' Court that the construction of the water lines have been done in accordance to their regulations; and
- 3) must obtain a storm drainage discharge permit with the Right-of-Way Department.

MOTION CARRIED.
SEE "EXHIBIT T"

16/C/2

A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to give preliminary approval to the plat of Escondido Terrace, which is located approximately one mile north of F.M. 2221 (7 Mile Line) on the west side of la Homa Road, in the rural area of the County, in Precinct Three; preliminary plat approval is subject to the following items:

- 1) the installation of all street sign(s), traffic control device(s) and testing of the street(s) be done in accordance to the Hidalgo County Subdivision Regulations, before final approval and recording of the subdivision plat;
- 2) will need a letter from the Sharyland Water Supply Corporation, addressed to the County Commissioners' Court, that construction of water lines have been done and are in accordance to their regulations.

MOTION CARRIED.
SEE "EXHIBIT T"

16/D

A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to authorize a letter of credit release to Country Breeze Subdivision, which is located on the southeast corner of Mile 4 Road and Stewart Road, City of Palmhurst, Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT T"

ITEM 17. URBAN COUNTY:

- A. City of Alton - HOME Cancellation Case #AL 92-02
- B. City of Mercedes - Professional Services contract (Engineering - Year 7)
- C. City of Mercedes - Change Order No. 1 - Amigos Del Valle - \$11,150.00
- D. CDBG Nexus Agreement with Colonias Del Valle, Inc.
- E. Approval to enter into contract with Mission Service Project & Proyecto Azteca
- F. HOME - First-time Homebuyer contract agreements & Letter of Commitment to Mortgage Company
- G. Contract Award - System Software
- H. City of Edcouch - HOME construction Contract Award
- I. Pct. 3 - Authorization to advertise for street paving
- J. Approval of bills

17/A

Raul Lozano informed the Court that the City of Alton was requesting authorization to cancel a HOME Rehabilitation Program contract, due to the applicant not complying with requirements for eligibility. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to approve the cancellation on case AL#92-02.

MOTION CARRIED.
SEE "EXHIBIT U"

17/B

Mr. Lozano also mentioned that the City of Merced was requesting approval of an engineering contract with Sigler, Winston, Greenwood & Associates, on their Year 7 Street Improvement project. The amount of the contract is \$29,190.47. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to authorize a contractual agreement between Sigler, Winston, Greenwood & Associates, the County of Hidalgo and the City of Merced, as presented; street paving improvement engineering contract in the amount of \$29,190.47.

MOTION CARRIED.
SEE "EXHIBIT U"

17/C

A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to authorize a change order, increasing the contract with Amigos Del Valle, Inc., in the amount \$11,150.00.

MOTION CARRIED.
SEE "EXHIBIT U"

17/D

Mr. Lozano explained that Colonia Del Valle has been approved \$175,000.00 for the CASA Project. He continued by saying that in order for them to implement the money, they need to have an agreement with a CDBG provider, this being the County Precinct One, who has committed \$5,000.00 in funding for this agreement. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve a CDBG nexus agreement with Colonias Del Valle and Precinct One, being \$5,000.00 of its CDBG towards this nexus with Colonias Del Valle.

MOTION CARRIED.
SEE "EXHIBIT U"

17/E

Raul Lozano indicated that these were the first two community housing development organization with which the County will be entering into agreement with. The contract with Mission Service Project will be for \$50,000.00 and it will provide interim financing for the construction of two new homes for low income families in the rural areas or colonias. The contract with Proyecto Azteca is for \$40,000.00 and it will provide mortgage financing for the construction for the construction of three new homes, for low income families, also in the rural areas or colonias. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to authorize contracts with Mission Service Project, for \$50,000.00 for the construction of two new homes for low income families and with Proyecto Azteca as a separate contract of \$40,000.00, for the construction of three new homes for low income families.

MOTION CARRIED.
SEE "EXHIBIT U"

17/F

A motion was made by Commissionoer Arcaute and seconded by Commissioner Sanchez, to authorize a First-time Homebuyer contract agreement between the County of Hidalgo and Andres Salas, and issue a letter of commitment to mortgage company, be-it Frontera Mortgage, of \$5,000.00.

MOTION CARRIED.
SEE "EXHIBIT U"

17/G

Mr. Lozano explained that this was for software for their finance department. He added that six proposals had been issued to six different companies, of which three had responded. Of the three responses, the one that met all the specification was FMS Services, for a price of \$21,314.00. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to award bid to FMS Services out of Missouri City, Texas, in the amount of \$21,314.00, for system software for our Urban County Finance Department.

MOTION CARRIED.
SEE "EXHIBIT U"

17/H

The City of Edcouch was requesting permission to go in- to contract with A-2-Z Construction, for the rehabilitation of four units, under the HOME Rehabilitation Program, at a bid of \$37,000.00. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to award contract, as a sole bidder to A-2-Z Construction, this is for four residential renovations, in the amount of \$37,000.00.

MOTION CARRIED.
SEE "EXHIBIT U"

17/I

A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to authorize the advertising for bids for street paving, basically the resurfacing of E. Goodwin Road, from Expressway 83 to Business Highway 83; bid opening October 26, bid award November 1.

MOTION CARRIED.
SEE "EXHIBIT U"

17/J

A motion was made by Commissioner Camarillo and second- ed by Commissioner Rosel, to approve the 1992 Urban County bills #6763 thru #6765 totaling \$48,284.19; the 1993 Urban County bills #6766 thru #6781 totaling \$104,991.46; the 1994 Urban County bills #6782 and #6783 totaling \$7,046.40; the Hidalgo County Extension Service bill #6784 in the amount of \$83.55; the 1992 HOME Program bills #6785 thru 6792 total- ing \$8,169.94 and the 1993 HOME Program bills #6793 and #6794 totaling

\$10,000.00. The total Urban County memorandum to be approved is in the amount of \$178,575.54.

MOTION CARRIED.
SEE "EXHIBIT U"

ITEM 18. COMMUNITY SERVICE AGENCY:

- A. TDOA - Continuation Grant 94-95
- B. MTP Contract Amendment No. 2 & 3

18/A

Maribel Navarro-Saenz came before the Court requesting approval of the Texas Department on Aging Grant, for fiscal 1994-95. This is for the retired and senior volunteer program and the grant is in the amount of \$19,522.00. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to approve a continuation grant, by the Texas Department of Aging, as presented.

MOTION CARRIED.
SEE "EXHIBIT V"

18/B

Mrs. Navarro-Saenz explained that this was just to extend the present contract and it called for two amendments. Amendment Number Two, which would carry them through the end of the contract period which ends on October 31st, is for \$82,884.00; and Amendment Number Three is for the contract period from November 1, 1994 through August 31, 1995, and it is for \$384,000.00. A motion was then made by Commissioner Arcaute and seconded by Commissioners Sanchez and Rosel, to approve two amendments to the Medical Transportation grant, of \$82,884.00 that runs through October 31st; then for a twelve month period of \$384,000.00.

MOTION CARRIED.
SEE "EXHIBIT V"

ADD. 1. EXECUTIVE SESSION:

- A. Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.074 to discuss the following matter:
 - 1. Review of applications for the position of Sheriff
 - 2. Discuss Appeal on 13th Court of Appeals on Sheriff's position

The County Judge and Commissioners went into Executive Session accompanied by Mr. Travis Heister.

NO ACTION.

ADD. 2. OPEN SESSION:

- A. Review of applications for the position of Sheriff
- B. Discussion and action on Appeals to 13th Court of Appeals on Sheriff position

2/A

Judge Ruiz reported that they would continue the review of applications for the position of Sheriff, and they had no recommendation at this time.

NO ACTION.

2/B

Judge Ruiz publicly thanked Commissioners' Court for attending this hearing yesterday, as he felt that it was very informative not only for the public, but for the members of Commissioners' Court, as well. He continued by saying that they were awaiting the response from the Court of Appeals and that this item would again be on the agenda on October 10th.

NO ACTION.

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

MOTION CARRIED.

DRAINAGE DISTRICT
=====

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

ITEM 1. REQUEST FOR AUDIENCE:

- A. C.J. Villarreal - Drainage Ditch approximately 1 Mile South of Hwy. 107 & Bentsen & Taylor rds.

Vona Walker stated that Mr. Villarreal had left earlier and the County Judge stated that no action would be necessary.

NO ACTION.
SEE "EXHIBIT W"

ITEM 2. BUDGET AMENDMENT:

A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to approve a \$170,000.00 budget amendment for Drainage District.

MOTION CARRIED.
SEE "EXHIBIT X"

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

MOTION CARRIED.

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

J. Edgar Ruiz _____
County Judge

Samuel Sanchez _____
County Commissioner, Precinct #1

Lalo Arcaute _____
County Commissioner, Precinct #2

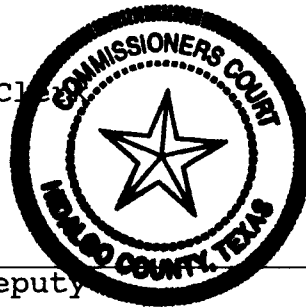
Juan Rosel _____
County Commissioner, Precinct #3

Leonard Camarillo _____
County Commissioner, Precinct #4

Dated this 4TH day of OCTOBER, 1994.

ATTEST:

WILLIAM R. LEO, County Clerk
Hidalgo County, Texas



By: Jennifer Castillo _____
Jennifer Castillo, Deputy