

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, OCTOBER 18, 1994 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

NOTICE TO THE PUBLIC

CONSENT AGENDA

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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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

- 1. Approval of bills - County Auditor
- 2. Approval of Monthly Fee Reports:
 - A. Justice of the Peace:
 - 1. Ruben Ramos - \$ 6,262.34 - September
 - 2. Pete Leal - \$ 8,721.25 - "
 - 3. Jesus Morales - \$ 6,025.00 - "
 - B. District Clerk - \$ 120,030.56 - September
- 3. Planning Department:
 - A. Subdivision:
 - 1. West Donna Estates Subd. - Pct. 1
- 4. Permits:
 - A. Southwestern Bell Telephone - Pct. 1
- 5. Internal Line Item Transfers:
 - A. Health Clinics
 - B. Juvenile Probation
 - C. Pct. 4 - Adm.
 - D. Pct. 4 - Paved/unpaved
 - E. Tax Office
 - F. Grand Jury
 - G. Texas D.P.S.
 - H. Pct. 2 - Park
 - I. Pct. 2 - Paved/unpaved
 - J. County Wide Shop
 - K. Insurance
 - L. Pct. 1 - Paved/unpaved

Dated this the 12th day of October, 1994

RUIZ

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE

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1. Recognition for Arturo Zuniga
2. To correct error on Tax Levy Order approved by Commissioners' Court on October 10, 1994
3. Appointment to Purchasing Policy Revision Advisory Committee
4. Authorization to modify terms of Special Commissioner's Deed to Edinburg Hospital Authority & to execute and deliver Modification Agreement & Release
5. Ratification of Absentee Voting location for November 08, 1994 General Election
6. Approval of 1995 Contract between Hidalgo County & MH/MR for Psychotropic Medication
7. Discussion & action to authorize dues deduction for Hidalgo County Employees to AFSCME Local 3479
8. J.D. Salinas, Project Coordinator:
 - A. Rescind Commissioners' Court action taken on August 30, 1994 & September 20, 1994 - Interlocal Agreement between Lower Rio Grande Valley Development Council & Texas Natural Resource Conservation Commission (TNRCC)
 - B. Request permission to advertise for equipment as approved by Texas Natural Resource Conservation Commission (TNRCC)
 - C. Budget Amendment in the amount of \$ 2,500.00 to fund the Valley Proud Environmental Council as approved by Commissioners' Court on April 05, 1994
9. Health Department:
 - A. Authorization to advertise for a van
 - B. Authorization to set salaries on 3 Grants:
 1. Bureau of Women & Children
 2. Office of Regional Programming
 3. Early Childhood Intervention
 - C. Line item transfer - Regional Office of Programming

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HIDALGO COUNTY JUDGE

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10. Budget Amendments:
 - A. 139th District Court - \$ 7,483.49
 - B. Court Reporter's Fees - \$ 7,000.00
11. Approval of Court Reporter's Fees:
 - A. Shirley A. Ralston - \$ 2,425.00
 - B. Jennifer O'Neall - \$ 1,182.00
 - C. Dora M. Canizales - \$ 1,864.00
 - D. Mark Kvapil - \$ 112.00
12. Sheriff Department:
 - A. Approval of reclassification of position - So.Tx.Auto Task Force Grant
 - B. Set annual salary
 - C. Approval of line item transfer
13. Pct. #3:
 - A. Authorization to accept road easement & name road
14. Planning Department:
 - A. Subdivisions:
 1. Simon's Acre Subd. - Pct. 3
 2. Nuevo Penitas Norte No.1 Subd. - Pct. 3
 - B. Variance Request:
 1. Amended plat - Escalon Heights Subd. - Pct. 1
15. Purchasing Department:
 - A. Award bids:
 1. Paving of Zenon Moya Drive - Pct. 4
 2. Computer Hardware System - Library System
 3. Biohazardous waste disposal - Hidalgo County
 - B. Request to advertise for bids:
 1. Hot-mix - Pct. 1
 2. Solid waste collection services - Pct. 3
16. Urban County:
 - A. Termination of Contract
 - B. HOME - First-time Homebuyer Contract Agreements
 - C. City of La Villa - Change Order No.2 - Fresno Construction Company
 - D. City of Mercedes - Change Order No.2 - Amigos Del Valle

(continued)

R U I Z

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(continuation - Urban County)

- E. City of Mercedes - Housing Rehabilitation Program - Construction Contract Award
- F. Request from City of Mission to join in Tax Abatement for Rio Grande Snack Foods, Inc.
- G. City of Weslaco - Street Improvements Year 1993 Phase II - Contract - Balinger Construction Co.
- H. Pct. 1 - Professional Engineering Services Contract
- I. City of Palmview - Approval of Appraisal Services - Contract Agreements
- J. Approval of Rental Agreement for the CASA Project with Outreach International Inc., Iglesia Methodista, & Iglesia Pentecostal
- K. City of Palmview - Approval of bids for First Response Vehicle & Fire Truck
- L. Approval of bills

Dated this the 12th day of October, 1994

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HIDALGO COUNTY JUDGE

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DRAINAGE DISTRICT

1. Approval of line item transfer
2. Authorization to transfer funds from revenue acct. into expenditure acct.
3. Permits:
 - A. City of Edinburg
 - B. City of Mission
 - C. Hector Guerra

Dated this the 12th day of October, 1994

BE IT REMEMBERED that on the 18TH 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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The Honorable Abelardo Arcaute, County Commissioner for Precinct Two, called the Commissioners' Court meeting to order, whereupon the following proceedings were had, to-wit:

CONSENT AGENDA
=====

ITEM 1. APPROVAL OF BILLS - County Auditor
General Fund - #103442 - #103636 - \$1,028,995.13
Special Revenue Fund - #103081 - #103381 - \$1,357,867.11
Trust and Agency Fund - # 4373 - # 4394 - \$ 401,216.58
Enterprise Fund - # 2069 - # 2073 - \$ 4,281.01
(SEE "EXHIBIT A")

ITEM 2. APPROVAL OF MONTHLY FEE REPORTS:
A. Justice of the Peace:
1. Ruben Ramos - \$ 6,262.34 - September
2. Pete Leal - \$ 8,721.25 - "
3. Jesus Morales - \$ 6,025.00 - "
B. District Clerk - \$120,030.56 - September
(SEE "EXHIBIT B")

ITEM 3. PLANNING DEPARTMENT:
A. Subdivision:
1. West Donna Estates Subd. - Pct. 1

3/A

West Donna Estates Subdivision is located at the southwest corner of U.S. Highway 83 and Hutto Road, City of Donna, Precinct One.
(SEE "EXHIBIT C")

ITEM 4. PERMITS:
A. Southwestern Bell Telephone - Pct. 1

In Precinct One, Southwestern Bell Telephone is requesting a permit to lay a cable along Mile 5 1/2 West, beginning at Mile 19 North and going north for 93 feet.
(SEE "EXHIBIT D")

- ITEM 5. INTERNAL LINE ITEM TRANSFERS:
 - A. Health Clinics - \$21,500.00
 - B. Juvenile Probation - \$10,500.00
 - C. Pct. 4 - Adm. - \$1,220.00
 - D. Pct. 4 - Paved/Unpaved - \$4,880.00
 - E. Tax Office - \$6,400.00
 - F. Grand Jury - \$60.00
 - G. Texas D.P.S. - \$400.00
 - H. Pct. 2 - Park - \$1,000.00
 - I. Pct. 2 - Paved/Unpaved - \$2,000.00
 - J. County Wide Shop - \$100.00
 - K. Insurance - \$175.00
 - L. Pct. 1 - Paved/Unpaved - \$12,600.00

(SEE "EXHIBIT E")

Commissioner Arcaute began by asking the Commissioners if they had any questions and/or comments with regards to the Consent Agenda, there being none, a motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve the Consent Agenda, as presented.

MOTION CARRIED.
SEE "EXHIBITS A-E"

REGULAR AGENDA
=====

ITEM 1. RECOGNITION OF ARTURO ZUNIGA

NO ACTION.
SEE "EXHIBIT F"

ITEM 2. TO CORRECT ERROR ON TAX LEVY ORDER APPROVED BY COMMISSIONERS COURT ON OCTOBER 10, 1994

Commissioner Arcaute explained that this was with regards to Fire District No. 2, which was previously listed as \$.0300 and the correct rate was \$.0295. A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to make the correction, as presented.

MOTION CARRIED.
SEE "EXHIBIT G"

ITEM 3. APPOINTMENT TO PURCHASING POLICY REVISION ADVISORY COMMITTEE

Commissioner Sanchez stated that Steve Austin had sent him a letter indicating that he would be unable to serve on this committee. As a result, Commissioner Sanchez added that he would be recommending a replacement at a later date.

NO ACTION.

ITEM 4. AUTHORIZATION TO MODIFY TERMS OF SPECIAL COMMISSIONER'S DEED TO EDINBURG HOSPITAL AUTHORITY & TO EXECUTE AND DELIVER MODIFICATION AGREEMENT & RELEASE

Travis Heister, the County Legal Counsel, informed the Court that a few weeks ago, the Edinburg Hospital Authority had come before this court and asked to modify the Special Commissioner's Deed, with regards to a covenant, in the deed, "that required the hospital to completely renovate the building, that was sold to them by the County". In the deed, there was a clause that included a revisionary interest, in which the property could be reconveyed to the County, if that covenant was not carried out. At the time that this was approved, the Commissioners' Court had asked the Hospital Authority to prepare the documentation. He continued by saying that as a substitute to this the Hospital Authority was given two years and also authority to seek the assistance of private organizations, in order to renovate the building. He then stated that what they have done since then, was that they incorporated these terms into several documents, basically concerning the indemnity provision, which the Hospital Authority had given the County. Mr. Heister continued by saying that if at some point the Hospital Authority ceased to exist or if the funds were taken from them, then the County would need someone to carry that liability and the City of Edinburg had, at one time, been a joint owner of the property in question. So, in essence, if the Hospital Authority was ever dissolved by the City of Edinburg, then the City of Edinburg would continue with the indemnity provision. After further explanation, he stated that the main point of his discussion was a clause within the modified agreement that read, "the City will not cause the dissolution of the Authority without making provisions acceptable to the County, for the City to assume such obligation and liability to the County, under the indemnification agreement and also that prior to the dissolution of the Authority, if an event happens, the City will if needed to insure a sufficiency of funds provide money to enable the Authority to fulfill completely its obligation and liability under the indemnification agreement"; and this order is to be effective immediately. He added that the request at this time was to agree to release the covenant to renovate, accept the Authority's obligation to seek people to renovate this property for two years and then be free, thereafter, from that covenant. A discussion then ensued with regard to clarification on the indemnity modification. This was followed by a motion by Commissioner Camarillo and seconded by Commis-

sioner Sanchez, to authorize the following: "now, therefore, the Commissioners' Court of the County, hereby finds that it is in the best interest of the County to facilitate the sale by the Authority of Edinburg Hospital, which sale will include the accessibility cost adequacy of....., this order shall be effective immediately and prior orders and resolutions of this Commissioners' Court to the contrary are hereby amended to the extent necessary to eliminate any such inconsistency".

MOTION CARRIED.

ITEM 5. RATIFICATION OF ABSENTEE VOTING LOCATION FOR NOVEMBER 08, 1994
GENERAL ELECTION

Florestella Chavez, Elections Coordinator, came before the Court requesting that the early voting mobile locations be amended to include the high schools of Hidalgo County and they have added one hospital. She added that the only high school from which she had not had a confirmation from is Hidalgo High School and she was also awaiting confirmation from three other area hospitals. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to accept the addition of the various high schools and other locations as indicated by the County Clerk's Office, to be included in the mobile early voting.

MOTION CARRIED.

ITEM 6. APPROVAL OF 1995 CONTRACT BETWEEN HIDALGO COUNTY & MH/MR FOR
PSYCHOTROPIC MEDICATION

Ms. Loura Etnire, Administrative Assistant to the County Judge, informed the Court that this was just a continuation contract, and the money had been budgeted for this service. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to approve the contract between the County of Hidalgo and MH/MR for psychotropic medication.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 7. DISCUSSION & ACTION TO AUTHORIZE DUES DEDUCTION FOR HIDALGO
COUNTY EMPLOYEES TO AFSCME LOCAL 3479

Carlos Carrasco, a representative from AFSCME, came before the Commissioners' Court requesting authorization to deduct dues through

payroll deduction, for those employees who were members of this union. He mentioned that as of the first of October, they had two hundred and fifty members, who were County employees. Commissioner Sanchez then asked him how they were going about in acquiring this membership, if they had been solicited and if this deduction was only for members. Mr. Carrasco explained that they had held union meetings, for the various County departments, during which employees had signed up, and he indicated that all members were acquired on a voluntary basis, with the fee being ten dollars a month. Commissioner Rosel then indicated that he would like to table this item, as he would like an opportunity to find out who the members are, from his Precinct, as he would like to find out if it has been explained to them that there will be a deduction, from their paycheck. Mr. Carrasco then explained that the fees had already been explained to the employees and this union had nothing to do with Civil Service. The discussion then ensued, with a question by Commissioner Sanchez with regards to the administration fees and who would pay for those and Mr. Carrasco explained that this would be taken care of by the union and its members. After further discussion, a motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to TABLE this item, at this time.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 16. URBAN COUNTY:

F. Request from the City of Mission to join in Tax Abatement for Rio Grande Snack Foods, Inc.

Mayor Ricardo Perez, from the City of Mission, came before the Court to do a presentation on a request from Rio Grande Snack Foods, Inc., on tax abatement. He mentioned that this company was owned by PepsiCo and they were planning to build an \$18.2 million plant in the City of Mission, and this construction was presently underway. He added that this company would generate approximately 241 jobs within the area and the hiring of a full staff as they hoped to be under production by June 1995. He added that PepsiCo's long range plans were to establish an additional product line which would perhaps double the number of employees. He then said that the tax abatement proposal did not include any of these expansion possibilities and that the City of Mission has made a \$2.5 million commitment to locate this plant in the City of Mission and it includes the acquisition of a new industrial park, a pre-treatment facility at the sewer plant and also all of the infrastructure at this new park. Along with PepsiCo, they have also attracted TexasSweet Corporation, to this park. He then directed his presentation to the issue of tax abatement, and he mentioned that they have structured their formal proposal to parallel the abatement offers that have been made by the City of Mission and the Mission CISD School District. He continued by saying that the estimated County tax abatement would be approximately \$80,000.00 for a five year period, as opposed to the

\$120,000.00 that would be abated by the City of Mission and \$390,000.00 from the Mission CISD. He then went on to say that the City of Mission was also trying to get in to "diversify from being strictly an Ag-type based community and winter tourist-type industry community to diversify away from retail and into industrial production". After a brief discussion, a motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to join the City of Mission and the Mission CISD, in the tax abatement for Rio Grande Snack Foods, Inc.

MOTION CARRIED.
SEE "EXHIBIT R"

ITEM 8. J.D. SALINAS, Project Coordinator:

- A. Rescind Commissioners' Court action taken on August 30, 1994 & September 20, 1994 - Interlocal Agreement between Lower Rio Grande Valley Development Council & Texas Natural Resource Conservation Commission (TNRCC)
- B. Request permission to advertise for equipment as approved by Texas Natural Resource Conservation Commission (TNRCC)
- C. Budget Amendment in the amount of \$2,500.00 to fund the Valley Proud Environmental Council as approved by Commissioners' Court on April 05, 1994

8/A

J.D. Salinas informed the Court that on August 30th, of this year he had brought an interlocal agreement, which was approved, to go into agreement with the Lower Rio Grande Valley Development Council and the Texas and Natural Resource Conservation Commission for a work program to do a feasibility study at the landfill. He continued by saying that since then the TNRCC wanted to spend these funds on equipment instead of on a work program. He was at this time requesting the rescindment of the action taken August 30th, which approved the interlocal agreement, and September 20th, during which he had brought the agreement back to Commissioners' Court for ratification. Commissioner Camarillo then asked him if there was a possibility in acquiring additional funds, for the purchase of equipment, as \$10,000.00 was not sufficient in purchasing any type of equipment needed at the landfill. Commissioner Sanchez then indicated that the proposal stated that a chipper would be purchased and he asked how this piece of equipment would be implemented and Mr. Salinas explained that a work program was included in his pack. Commissioner Camarillo then asked Liza Gallegos, a representative from LRGVDC, if they could apply for additional funds and Ms. Gallegos reported that \$10,000.00 was all that was allocated to Hidalgo County, at this time. A discussion then ensued with regards to the kind of chipper that could be purchased for \$10,000.00, where it could be located and if it was going to be mobile. A motion was then made by Commissioner Camarillo and seconded by Commissioner Rosel, to rescind the action, as requested.

(10/18/94)

MOTION CARRIED.
SEE "EXHIBIT J"

8/B

A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to TABLE this item until further notice.

MOTION CARRIED.

8/C

Mr. Salinas reported that this item had been brought before Commissioners' Court on April 5th, 1994 and it had been approved, for the County of Hidalgo to sponsor Valley Proud Environmental Council. To date, he mentioned a commitment of \$2,500.00 has not been paid and as per the County Auditor, a budget amendment would be needed. Mr. Salinas then stated that it had been his understanding that a budget amendment had been made at that time, but it was obvious that it had not and he was at this time requesting approval of a budget amendment of \$2,500.00, for Valley Proud. A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to authorize a budget amendment of \$2,500.00, for payment a of bill to Valley Proud Environmental Council, as per agreement.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 9. HEALTH DEPARTMENT:

- A. Authorization to advertise for a van
- B. Authorization to set salaries on 3 Grants:
 - 1. Bureau of Women & Children
 - 2. Office of Regional Programming
 - 3. Early Childhood Intervention
- C. Line item transfer - Regional Office of Programming

9/A

Ofelia Espinoza, from the Health Department, reported that they would like to request permission to advertise for the purchase of an eight-passenger van to be used by the Tuberculosis Department, to transport patients to both the State Hospital, in Harlingen, and to the chest clinic, as needed. She indicated that the amount budgeted for this was \$16,000.00 and this was followed by a discussion with regards to the possible need for additional funds, as this amount might not be sufficient. The possibility of checking with the Houston/Galveston Area Council in purchasing this vehicle through the State contract was also considered. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to authorize the advertisement for the purchase of an eight-passenger van, as presented; bid opening November 9th, bid award November 14th.

MOTION CARRIED.
SEE "EXHIBIT K"

This was followed by a discussion, ensued by Commissioner Sanchez regarding the use of telephone services by the health inspectors at the Precinct One location. In response to this Dr. Omar Garza stated that he was looking at the possibility of acquiring some two-way radios to alleviate this problem and this was followed with additional discussion with regards to other solutions to this problem.

9/A

Mrs. Espinoza explained that this Commissioners' Court had approved the grants and at this time she was requesting approval in setting salaries for the Bureau of Women and Children, the Office of Regional Programming and the Early Childhood Intervention grants. She added that the salaries represented a five percent increase, with a little extra added on some that were equalized, such as case management workers, since they were doing outreach work. Steve Austin then indicated that the salary schedule exceeded the amount budgeted and Ms. Espinoza explained that it exceeded due to the physician's position, which was \$98,000.00 and that as of yesterday, this position had been inactivated and it would be reimbursed through the University of Health Science, in San Antonio. Mr. Austin then indicated that since this physician had been on staff since September then this Commissioners' Court would have to find a way to cover for that salary up until this position was inactivated and Dr. Garza stated that he has addressed this situation with Dr. Vela, at Region 11, and has asked him to assist in covering for this salary, as well as, with Dr. German, from the Medical School, and they are working in trying to cover this slot, however if it is not covered, then he will find other ways to cover for this salary. Mrs. Espinoza added that another solution could be to make an amendment, under the Bureau of Women and Children, in the contractual services line item and possibly pay the primary care physician from there. The issue of the additional percentage on the salary increases of the caseworkers, with respect to a similar request by the WIC Director for her department, was brought up by Commissioner Sanchez and this resulted in a discussion, after which he recommended that they be reclassified to justify the increase, over five percent, in salaries. Commissioner Arcaute then asked her if the total amount of the salary category was over the five percent approved and Ms. Espinoza responded that it was a little bit over and Commissioner Arcaute then recommended that they list their case workers, in levels, such as Level I, Level II, etc. A motion was then made by Commissioner Camarillo and seconded by Commissioner Rosel, to authorize the approval of the salary increases, under these three grants, with the five percent on the 03 category.

MOTION CARRIED.
SEE "EXHIBIT K"

9/C

Ms. Espinoza explained that they were requesting a line item transfer of \$860.00, from Travel into the 03 category, as it was

the total amount needed for the salary schedule, on the Regional Office of Programming Grant. Commissioner Arcaute then informed her that this Court had never approved the moving of monies from other line items into the 03 category and being that they had just authorized that the salary category not exceed five percent, no action was needed on this item.

MOTION CARRIED.
SEE "EXHIBIT K"

- ITEM 10. BUDGET AMENDMENTS:
 - A. 139th District Court - \$7,483.49
 - B. Court Reporters' Fees - \$7,000.00

10/A

Commissioner Arcaute indicated that this was for a coordinator who would be retiring at the end of the year and she had a total of 300 vacation hours, which totaled to \$7,483.49 and a budget amendment would be needed to reimburse this individual. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to accept the request from Judge Longoria, to approve the 300 hours of vacation leave payable, to Mrs. Rodriguez.

MOTION CARRIED.
SEE "EXHIBIT L"

10/B

Mrs. Etnire explained that this was to cover the bills that are on Item 11, of this agenda. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve a budget amendment of \$7,000.00 for Court Reporters' Fees, as presented.

MOTION CARRIED.
SEE "EXHIBIT L"

- ITEM 11. APPROVAL OF COURT REPORTERS' FEES:
 - A. Shirley A. Ralston - \$2,425.00
 - B. Jennifer O'Neill - \$1,182.00
 - C. Dora M. Canizales - \$1,864.00
 - D. Mark Kvapil - \$ 112.00

A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve the Court Reporters' Fees, as presented.

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 12. SHERIFF DEPARTMENT:

- A. Approval of reclassification of position - So. Tx. Auto Task Force Grant
- B. Set annual salary
- C. Approval of line item transfer

12/A

Dick Dickinson came before the Court requesting the reclassification of a position, from investigator to a lieutenant's position, at a salary of \$26,624.00. This request was due to a commitment by the Sheriff, which was forwarded to Brownsville, on the proposed grant and it had come back without the amendment. He was at this time requesting approval of the reclassification and the Sheriff's Office would take care of the difference in pay, of \$1,505.00, from the Sheriff's Investigation Fund. Commissioner Rosel then asked him what the reason was for the reclassification and Mr. Dickinson explained that the grant calls for one supervisor, and which duties the officer in this slot has had for the last year. A discussion then ensued with regards to the amendment, without prior approval from the grantor and J.D. Salinas explained that these changes usually have to be approved by the local entity first and then the State will consider it. A motion was then made by Commissioner Sanchez and seconded by Commissioner Camarillo, to approve the amendment, contingent on the State agreeing with what we proposed and that it be made retroactive to September 1, as requested.

MOTION CARRIED.
SEE "EXHIBIT N"

12/B&C

A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to set the annual salary, and contingent on the State's approval, that a line item transfer be approved.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 13. PCT. #3:

- A. Authorization to accept road easement & name road

Vona Walker explained that Sharyland Water Supply has a problem with water pressure, north of 1925 and they were looking for a way to cross from Bentsen Road to Moorefield Road, so that they could loop their lines and get proper water supply. She added that there was no public road in the area, so they negotiated with some people for an easement and Sharyland Water Supply needs a public road next to their

easement and the people have agreed to grant an easement to the County, in addition the grantors will pay for paving of the road. Ms. Walker then said that the grantors will pay for the hot mix to pave the road and Precinct Three will take care of the paving. The people of the area are also requesting that this road be named "Hemeregildo Garza Road". A motion was made by Commissioner Rosel and sseconded by Commissioner Sanchez, to authorize the acceptance of the road easement, and name the road as "Hemeregildo Garza".

MOTION CARRIED.
SEE "EXHIBIT O"

ITEM 14. PLANNING DEPARTMENT:

A. Subdivisions:

1. Simon's Acre Subd. - Pct. 3
2. Nuevo Penitas Norte no. 1 Subd. - Pct. 3

B. Variance Request:

1. Amended plat - Escalon Heights Subd. - Pct. 1

14/A/1

A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to approve the plat of Simon's Acres Subdivision, which is located approximately 990 feet north of the 7 Mile line on the east side of F.M. 494, City of McAllen, Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT P"

14/A/2

A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to approve the plat of Nuevo Penitas Norte No. 1 Subdivision, which is located approximately 1 3/4 of a mile north of Expressway 83, on the west side of Tom Gill Road, City of Penitas, Precinct Three. The plat approval is contingent to the following items, before the release of the letter of credit:

- 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; and
- 2) all water lines to be constructed in accordance to La Joya Water Corporation Regulations.

MOTION CARRIED.
SEE "EXHIBIT P"

14/B

Emilio Garcia, Chief Planner, informed the Court that the developer for Escalon Heights Subdivision, was requesting a variance, on the plat due to the discovery of a dimensional error on the

recorded plat. He added that this subdivision had been approved on February 13, 1989, by Commissioners' Court. The developer was at this time requesting that an amended plat be recorded, without the need of the tax certificates, the percolation test, the letter from the water supply corporation, submittal of the drainage calculations and the driveway culvert pipes. Mr. Garcia went on to say that the dimensional error was basically error, which should read 850.90 feet instead of the 641.9 feet that is on the plat. A motion was then made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve the variance, as requested by Sigler, Winston & Greenwood, in reference to Escalon Heights Subdivision.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 15. PURCHASING DEPARTMENT:

A. Award bids:

1. Paving of Zenon Moya Drive - Pct. 4
2. Computer Hardware System - Library System
3. Biohazardous Waste Disposal - Hidalgo County

B. Request to advertise for bids:

1. Hot-mix - Pct. 1
2. Solid waste collection services - Pct. 3

15/A/1

Mary Maldonado, the County Purchasing Agent, reported that she had received one bid for the paving of Zenon Moya Drive. The bid was from Mission Paving Company, at a bid price of \$2.30 per square yard. A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to accept the bid of Mission Paving, in the amount of \$9,558.80.

MOTION CARRIED.
SEE "EXHIBIT Q"

15/A/2

Ms. Maldonado then indicated that she had also received four bids for computer hardware for the Library System. The bidders were as follows: Centauri, with a bid of \$10,594.00; Cuadra Associates with a no bid; Alpha Link, with a bid price of \$10,954.00; and International Data Sales with a bid price of \$11,910.32. She was at this time recommending Centauri, who was the low bidder. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to accept the bid of Centauri, as presented.

MOTION CARRIED.
SEE "EXHIBIT Q"

15/A/3

Ms. Maldonado then pointed out that she had received three bids for biohazardous waste disposal, for County wide. The bids received were from Enviro Tech Carriers, Inc, BFI and American 3CI. She was at this time recommending that the bid be awarded to BFI, as the lowest bid meeting all specifications. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to award the bid to BFI, for biohazardous waste disposal, as the lowest bid meeting all specifications.

MOTION CARRIED.
SEE "EXHIBIT Q"

15/B/1

A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to authorize the advertising for bids for the purchase of hot mix, for Precinct One; bid opening November 9, bid award November 14.

MOTION CARRIED.
SEE "EXHIBIT Q"

15/B/2

A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to authorize the advertising for bids for solid waste collection services, in Precinct Three; bid opening November 9, bid award November 14.

MOTION CARRIED.
SEE "EXHIBIT Q"

ITEM 16. URBAN COUNTY:

- A. Termination of Contract
- B. HOME - First-time Homebuyer Contract Agreements
- C. City of La Villa - Change Order No. 2 - Fresno Construction Company
- D. City of Mercedes - Change Order No. 2 - Amigos Del Valle
- E. City of Mercedes - Housing Rehabilitation Program - Construction Contract Award
- F. Request from City of Mission to join in Tax Abatement for Rio Grande Snack Foods, Inc.
- G. City of Weslaco - Street Improvements Year 1993 Phase II - Contract - Balinger Construction Co.
- H. Pct. 1 - Professional Engineering Services Contract
- I. City of Palmview - Approval of Appraisal Services - Contract Agreements
- J. Approval of Rental Agreement for the CASA Project with Outreach International Inc., Iglesia Metodista, & Iglesia Pentecostal
- K. City of Palmview - Approval of bids for first Response

Vehicle & Fire Truck
L. Approval of bills

16/A

Anthony Covacevich, Urban County Director, informed the Court that this was for a termination of a contract with Melden & Hunt, who were project engineers for Colonia Victoria/Belen. This colonia did not qualify under the Colonia Program, as it was not platted and Melden & Hunt did not perform and duties. A motion was made by Commissioner Sanchez and seconded by Commissioners Rosel and Camarillo, to authorize the termination of the contract with Melden & Hunt on Colonia Victoria/Belen.

MOTION CARRIED.
SEE "EXHIBIT R"

16/B

Mr. Covacevich then stated that under the HOME Program he had one qualifying applicant, this being Martin Garcia, for an amount of \$5,000.00 and the mortgage company was Frontera Mortgage. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve the First-time Homebuyer contract, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

16/C

The City of La Villa was requesting approval of change order number two, with Fresno Construction, under water improvements line item. The change order is for an increase of \$32,000.00. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve change order number two, with Fresno Construction, the City of La Villa and the County of Hidalgo.

MOTION CARRIED.
SEE "EXHIBIT R"

16/D

The City of Mercedes was requesting approval of change order number two, with Amigos Del Valle, for additional architectural work. The change order was for an increase of \$5,340.00. A motion was made by Commissioner Sanchez and seconded by Commissioner Camarillo, to approve change order number two, with Amigos Del Valle, the City of Mercedes and the County of Hidalgo, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

16/E

The City of Mercedes was also requesting approval of a contract with A-2-Z Construction, for \$44,860.00, this being sole bid for the rehabilitation of five dwelling units, in the City of Mercedes.

A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to award a contract to A-2-Z Construction, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

16/F

Action on this item was taken earlier on the agenda.

16/G

The City of Weslaco is requesting approval of a contract with Ballenger Construction Company, in the amount of \$64,753.75. This is for street improvements, under their Year 6 budget and the total amount available is \$33,529.65, with the remaining balance in the amount of \$31,224.10 being committed by the City of Weslaco. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve a contract between Ballenger Construction, the City of Weslaco and the County of Hidalgo, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

16/H

Mr. Covacevich explained that this was a contract with Noe Garza Engineers to do a project as an interloca agreement between the City of Donna and Precinct One. The project involves monies from the Urban County Program's Years 5 and 6, in the Road and Bridge Fund and the total amount of the contract is \$12,531.02. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve a contract between Noe Garza Engineers and Precinct One, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

16/I

The City of Palmview is requesting approval of contracts for appraisal and appraisal review. The appraisal contract is with D.U. Buckner, in the amount of \$800.00, and the appraisal review is with Leonel Garza Jr. & Associates, in the amount of \$400.00. This is for the Municipal Park acquisition. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to approve the appraisal contracts, for the City of Palmview, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

16/J

Mr. Covacevich stated that under th CASA Project, they had provided for funds to rent facilities, out in the colonia, in order to provide the training that they are obligated under the HUD contract. He added that these were sole source bids, as these were the only facilities within the colonias available to provide these training services.

He indicated that they were requesting authorization to enter into contract with Outreach International for \$100.00 a month, Iglesia Metodista, for \$200.00 a month and Iglesia Pentecostal for \$200.00 a month. A motion was made by Commissioner Rosel and seconded by Commissioners Sanchez and Camarillo, to approve the rental agreements, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

16/K

The City of Palmview was requesting permission to purchase a 1995 fire rescue truck, from the low bidder being Boggus Motor Sales, at \$22,997.50; and a 1994 first response vehicle, from Bert Ogden, at \$26,200.00. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to authorize the purchase of said vehicles, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

16/L

A motion was made by Commissioner Sanchez and seconded by Commissioner Camarillo, to approve the 1991 Urban County bill #6850 in the amount of \$14,547.60; the 1993 Urban County bills #6851 thru #6856 totaling \$33,633.74; the Colonia II Program bill #6857 in the amount of \$10,677.51; the 1992 HOME Program bills #6858 thru #6860 totaling \$7,482.26 and the 1993 HOME Program bill #6861 in the amount of \$1,590.60. The total Urban County memorandum to be approved is in the amount of \$67,931.71.

MOTION CARRIED.
SEE "EXHIBIT R"

A questions and comments session then followed with Mr. Ruben Rodriguez, from Goldstar Petroleum, Inc., coming before the Court, to voice his concerns with regards to the cancellation of a fuel contract between Goldstar and the County. He mentioned that he had met with the County Judge on the termination of the contract and they had discussed the possibility of rescinding the action by the Court to terminate the contract. He mentioned that the reason for his request was due to the company having doubled their capacity to deliver the fuel, to the Precincts, as well as the upgrading of their equipment. Commissioner Rosel then mentioned that in order to take any action on this request they would have to, first of all, place it on the agenda and Travis Heister, the County Legal Counsel, stated that this contract has been terminated as of the middle of October and also the new advertisement for bidders as gone out. Mr. Rodriguez then made a plea to the Commissioners' Court to consider the rescindment of the action to terminate the contract.

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

MOTION CARRIED.

DRAINAGE DISTRICT

The Honorable Abelardo Arcaute, County Commissioner for Precinct Two, called the Drainage District meeting to order, whereupon the following proceedings were had, to-wit:

ITEM 1. APPROVAL OF LINE ITEM TRANSFER

A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to approve a line item transfer of \$22.87, from Plans and Maps to Unemployment Compensation.

MOTION CARRIED.
SEE "EXHIBIT S"

ITEM 2. AUTHORIZATION TO TRANSFER FUNDS FROM REVENUE ACCT. INTO EXPENDITURE ACCT.

A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to authorize a budget amendment in the amount of \$5,008.00, from the revenues received from the City of Mission for the sale of some property, into the line item #19, which is Lubricants.

MOTION CARRIED.
SEE "EXHIBIT T"

ITEM 3. PERMITS:

- A. City of Edinburg
- B. City of Mission
- C. Hector Guerra

Vona Walker stated that she had received a request for permit from the City of Edinburg for Over the Hill Subdivision and they were

wanting to go into the North Main Drain, north of Freddy Gonzalez, with a twenty-four inch structure and it will discharge 11 cfs. She also had a request from the City of Mission, for Basham #34 Subdivision, for a twenty-four inch pipe and it will discharge 4.2 cfs into the Mission lateral, where it crosses Bentsen Palm Drive. Lastly, she had a request from Hector Guerra, for Loma Blanca Subdivision, which is west of La Blanca Road, south of Mile 13 and it is an eighteen inch pipe and it will discharge 7 cfs. A motion was made by Commissioner Sanchez and seconded by Commissioner Camarillo, to approve the requests for permit, as presented.

MOTION CARRIED.
SEE "EXHIBIT U"

There being no further business to come before the Drainage District, a motion was made by Commissioner Sanchez and seconded by Commissioner Camarillo, that said meeting be hereby adjourned.

MOTION CARRIED.

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

J. Edgar Ruiz _____ A B S E N T _____
County Judge

Samuel Sanchez _____
County Commissioner, Precinct #1

Lalo Arcaute _____
County Commissioner, Precinct #2

Juan Rosel _____
County Commissioner, Precinct #3

Leonard Camarillo _____
County Commissioner, Precinct #4

Dated this 18TH day of OCTOBER, 1994.

ATTEST:

WILLIAM R. LEO, County Clerk
Hidalgo County, Texas

By: Jennifer Castillo _____

