

*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, NOVEMBER 29, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 - October 25, 1994
2. Approval of bills - County Auditor
3. Approval of Monthly Fee Reports:
 - A. Sheriff Department - \$ 48,796.35 - October
 - B. County Clerk Part I - \$ 94,422.92 - October
 - C. County Clerk Part II - \$ 110,500.04 - "
4. Request for Voting Machines:
 - A. Mission Independent School District - 10 machines
5. Planning Department:
 - A. Subdivisions:
 1. Double "R" Subdivision - Pct. 2
 2. Andrades Subdivision - Pct. 3
 - B. Release letter of credit:
 1. Basham No. 26 - Pct. 3
 2. Basham No. 31 - Pct. 3
 3. Basham No. 35 - Pct. 3
6. Permits:
 - A. Southwestern Bell Telephone - Pct. 2, 3 & 4

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7. Internal line item transfers:
- A. Human Services
 - B. County Auditor
 - C. 275th District Court
 - D. County Court #2
 - E. Drug Impact Court
 - F. WIC
 - G. Pct. 2 - paved/unpaved
 - H. Pct. 2 - paved/unpaved & adm.
 - I. Pct. 2 - park
 - J. County Wide Shop
 - K. County Extension Service
 - L. Pct. 1 - paved/unpaved
 - M. Pct. 1 - adm.
 - N. Pct. 1 - park
8. Set Salaries for Year 1995:
- A. County Court at Law #2
 - B. County Court at Law #3
 - C. County Court at Law #4
 - D. 93rd District Court
 - E. 139th District Court
 - F. 206th District Court
 - G. 275th District Court
 - H. 332nd District Court
 - I. Master Court II - N/A
 - J. J.P. Pct. 1, P1.1
 - K. J.P. Pct. 1, P1.2
 - L. J.P. Pct. 2, P1.1
 - M. J.P. Pct. 2, P1.2
 - N. J.P. Pct. 3, P1.2
 - O. J.P. Pct. 4, P1.2
 - P. J.P. Pct. 4, P1.1 - N/A
 - Q. J.P. Pct. 5, P1.1
 - R. District Clerk
 - S. County Judge
 - T. Tax Assessor/Collector
 - U. County Auditor
 - V. County Treasurer
 - W. Computer Department
 - X. Planning Department

(continued)

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(continuation)

- Y. PBX
- Z. Constable Pct. #1
- AA. Constable Pct. #2
- BB. Constable Pct. #3 *No action*
- CC. Constable Pct. #4
- DD. Constable Pct. #5
- EE. Sheriff Department
- FF. Adult Detention Facility (Jail)
- GG. Jail Commissary
- HH. Child Protective Services
- II. Veterans Service Office
- JJ. Hidalgo County Library System
- KK. County Extension Service
- LL. County Shop
- MM. General Administration
- NN. Pct. 2 - paved/unpaved
- OO. Pct. 2 - park
- PP. Pct. 3 - paved/unpaved
- QQ. Pct. 3 - park
- RR. Youth Village

Dated this the 23rd day of November, 1994

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, NOVEMBER 29, 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. **Constable Pct. #2:**
 - A. Declare vehicle surplus
2. **County Treasurer:**
 - A. Declare equipment surplus
3. **Sheriff Department:**
 - A. Authorization to purchase 5 years of Military Service
 - B. Authorization to appropriate funds
4. **Hidalgo County Library System:**
 - A. Renewal of Lease for Library System Offices
5. **Approval of Budget Amendments:**
 - A. Insurance Account
 - B. Attorney's Fees - \$ 65,000.00
 - C. Approval of Attorney's Fees - \$ 110,627.00
6. **J.D. Salinas, Project Coordinator:**
 - A. Budget Amendment - Financial Disruption Task Force
 - B. Authorization to advertise for a portable chipper - Lower Rio Grande Development Council
 - C. Approval of Contract between College of Architecture, Texas A & M University & County of Hidalgo - SBA National Tree Planting Program - Texas Forest Service
 - D. Appropriation of budget - Texas Forest Service SBA Grant
7. **Purchasing Department:**
 - A. Award bid for Janitorial Supplies
 - B. Consideration for correction on bid for paving of Diamond L Subdivision - Pct. 3
8. **Pct. #4:**
 - A. Authorization to initiate action against Reginald Adams, Carlos Saavedra & Ruth Saavedra, ET,al. (Adam Lee Subdivision)

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9. Urban County:

- A. City of La Villa - Change Order No.3 - Fresno Construction Company
- B. TCDP Contract No. 702035 - Amendment
- C. **HOME - First-time Homebuyer Contract Agreements & Letter of Commitment to Mortgage Company**
- D. City of Edcouch - HOME Housing Rehabilitation Program - Change Order
- E. City of Palmview - HOME Housing Rehabilitation Program - Construction Contract Award
- F. City of Donna - HOME Housing Rehabilitation Program - Cancellation Case # DO9202
- G. Approval of bills

Dated this the 23rd day of November, 1994.

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 551.071 to discuss the following matter:

- A. Settlement of Subrogation Claims regarding payment of medical expenses for two (2) indigents

2. **Open Session:**

- A. Settlement of Subrogation Claims regarding payment of medical expenses for two (2) indigents

Dated this the 23rd day of November, 1994.

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE
NOTICE

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DRAINAGE DISTRICT

1. Line item transfer
2. Permit - City of Pharr, City of Edinburg & ARTSOB Enterprises
3. Authorization to declare Word Processor surplus
4. Set Salaries for Year 1995

Dated this the 23rd day of November, 1994.

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

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BE IT REMEMBERED that on the 29TH day of NOVEMBER, 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 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 making an announcement that there would be a Workshop, tomorrow morning, to discuss workforce development, under JTPA and a discussion on building needs, as well as some discussion with regards to the Sheriff's Department, with regards to the jail and overtime compensation.

Commissioner Rosel then brought up the issue of the culvert pipes and if anything had been done about it and Judge Ruiz responded that he had totally forgotten about it, but that in the last week the Planning Department had received four requests for waivers on the culvert pipes. Judge Ruiz then stated that this matter would be brought back to Court at a later date.

CONSENT AGENDA

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ITEM 1. APPROVAL OF MINUTES - October 25, 1994
(SEE "EXHIBIT A")

ITEM 2. APPROVAL OF BILLS - County Auditor
General Fund - #104568 - #104673 - \$199,521.39
Special Revenue Fund - #104444 - #104573 - \$337,389.20
Debt Service Fund - # 944 - # 945 - \$ 19,439.26
Trust and Agency Fund - # 4447 - \$116,836.04
Enterprise Fund - # 2108 - # 2117 - \$ 5,002.79
(SEE "EXHIBIT B")

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:
A. Sheriff Department - \$ 48,796.35 - October
B. County Clerk Part I - \$ 94,422.92 - October
C. County Clerk Part II - \$110,500.04 - "
(SEE "EXHIBIT C")

ITEM 4. REQUEST FOR VOTING MACHINES:

- A. Mission Independent School District - 10 machines
(SEE "EXHIBIT D")

ITEM 5. PLANNING DEPARTMENT:

A. Subdivisions:

- 1. Double "R" Subdivision - Pct. 2
- 2. Andrades Subdivision - Pct. 3

B. Release of letter of credit:

- 1. Basham No. 26 - Pct. 3
- 2. Basham No. 31 - Pct. 3
- 3. Basham No. 35 - Pct. 3

5/A/1

Double "R" Subdivision is located 850 feet east from F.M. 2061, on the south side of Jeff Drive, City of Pharr, Precinct Two.

(SEE "EXHIBIT E")

5/A/2

Andrades Subdivision is located on South 23rd Street, City of McAllen, Precinct Three.

(SEE "EXHIBIT E")

ITEM 6. PERMITS:

- A. Southwestern Bell Telephone - Pcts. 2, 3 & 4

In Precinct Two, Southwestern Bell Telephone is requesting a permit to lay a cable along Minnesota Road, east of Morningside Road. In Precinct Three, they are asking permission to lay cables along North Bentsen Palm Drive, beginning 1950 feet south of Mile 5 and going south for 322 feet; along Stewart Road, beginning at the Edinburg Main Canal and going north for 800 feet; and along Schuerbach Road beginning at Mile 2 1/2 and going south for 805 feet. In Precinct Four, they are requesting a permit to lay a cable along Tower Road, between Owassa and Alberta Roads.

(SEE "EXHIBIT F")

ITEM 7. INTERNAL LINE ITEM TRANSFERS:

- A. Human Services - \$100.00
- B. County Auditor - \$4,000.00
- C. 275th District Court - \$1,100.00
- D. County Court #2 - \$240.00

- E. Drug Impact Court - \$14,350.00
- F. WIC - \$25,245.00
- G. Pct. 2 - Paved/Unpaved - \$38,403.00
- H. Pct. 2 - Paved/Unpaved & Adm. - \$750.00
- I. Pct. 2 - Park - \$3,000.00
- J. County Wide Shop - \$377.84
- K. County Extension Service - NO ACTION
- L. Pct. 1 - Paved/Unpaved - \$35,100.00
- M. Pct. 1 - Adm. - \$1,750.00
- N. Pct. 1 - Park - \$3,000.00

(SEE "EXHIBIT G")

ITEM 8. SET SALARIES FOR YEAR 1995:

- A. County Court at Law #2
- B. County Court at Law #3
- C. County Court at Law #4
- D. 93rd District Court
- E. 139th District Court
- F. 206th District Court
- G. 275th District court
- H. 332nd District Court
- I. Master Court II
- J. J.P. Pct. 1, Pl. 1
- K. J.P. Pct. 1, Pl. 2
- L. J.P. Pct. 2, Pl. 1
- M. J.P. Pct. 2, Pl. 2
- N. J.P. Pct. 3, Pl. 2
- O. J.P. Pct. 4, Pl. 2
- P. J.P. Pct. 4, Pl. 1
- Q. J.P. Pct. 5, Pl. 1
- R. District Clerk
- S. County Judge
- T. Tax Assessor/Collector
- U. County Auditor
- V. County Treasurer
- W. Computer Department
- X. Planning Department
- Y. PBX
- Z. Constable Pct. #1
- AA. Constable Pct. #2
- BB. Constable Pct. #3
- CC. Constable Pct. #4
- DD. Constable Pct. #5
- EE. Sheriff Department
- FF. Adult Detention Facility (Jail)
- GG. Jail Commissary
- HH. Child Protective Services
- II. Veterans Service Office
- JJ. Hidalgo County Library System

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KK. County Extension Service
LL. County Shop
MM. General Administration
NN. Pct. 2 - Paved/Unpaved
OO. Pct. 2 - Park
PP. Pct. 3 - Paved/Unpaved
QQ. Pct. 3 - Park
RR. Youth Village

(SEE "EXHIBIT H")

Judge Ruiz then went into the Consent Agenda and stated that there were some corrections and deletions. He began by saying that under item 7/I, Pct. 2 Parks, there was a correction and it was to reduce the total line item transfer to \$3,000.00 and there would be no action on item 7/K, with regards to the County Extension Service. He then went into item 8, which was the setting of salaries, in accordance with the action taken during the budget sessions. Under this item he indicated that no action would be taken on items 8/F, 8/P, 8/BB, 8/CC, 8/FF and 8/PP. Mrs. Loura Etnire, the County Judge's Administrative Assistant, then informed him that item 8/F had been corrected. Commissioner Arcaute then asked why the salaries were being approved in this manner and why no action was being taken on these particular salary schedules. Judge Ruiz responded that the salary requests were sent in to Mrs. Etnire and she made sure that they conformed to what had been approved in the budget and if there were any discrepancies then the salary schedules were sent back to the department. Steve Austin, the County Auditor, then mentioned that he had reviewed some of these salary schedules and auto allowances and after checking a few of these, he had found some discrepancies with the budget and he was wanting to go through these. Judge Ruiz then stated that if there were discrepancies then they should be brought up to Mrs. Etnire and they will be brought back to the agenda. Mr. Austin continued his discussion by saying that if these were not corrected then there would be a problem in processing the change of status forms, if these discrepancies were not corrected. Commissioner Arcaute then stated that he would like to hear what the discrepancies were and the County Auditor gave a brief rundown, where he used the District Courts and the County Judge's, the Constables and the Sheriff's Department salary schedules, as examples. Commissioner Arcaute then pointed out that the addition on some of the schedules was wrong and Judge Ruiz responded that each of these schedules were sent back to the department heads, to be corrected and he indicated that even though the addition may be wrong on some of them, that the action that this Court had to take was just to approve the salaries. If after approved there were further discrepancies then it was up to the Auditor to bring this matter up to the Court and all he was recommending was the "setting the salaries, by Consent Agenda, as per budget". The Auditor continued with his explanation, after which the County Judge recommended that the Consent Agenda be approve with the deletion of items 7/I, 7/K and item 8, the salary schedules. A motion was then made by Commissioner Sanchez and seconded by Commissioner Camarillo, to approve the Consent Agenda, as recommended by the County Judge.

MOTION CARRIED.
SEE "EXHIBITS A-H"

REGULAR AGENDA
=====

ITEM 1. CONSTABLE PCT. #2:
A. Declare vehicle surplus

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize the declaration of a vehicle surplus, in order to allow the insurance company to pick it up, as it was declared total loss.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 2. COUNTY TREASURER:
A. Declare equipment surplus

A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to authorize the declaration of equipment surplus and authorize the Purchasing Agent, to dispose of said equipment.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 3. SHERIFF DEPARTMENT:
A. Authorization to purchase 5 years of Military Service
B. Authorization to appropriate funds

3/A

Dick Dickinson, Chief of Operations, indicated that this was for a former employee, who had requested authorization to purchase five years of military service, at a cost of \$900.00. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to authorize the purchase of five years of military service, for Mr. Eloy Zavala, a deputy for the Sheriff's Office.

MOTION CARRIED.
SEE "EXHIBIT K"

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3/B

After a brief discussion, whereby the Court was trying to figure out what this appropriation was for, Chief Dickinson requested that no action be taken until the action needed can be clarified.

NO ACTION.

ITEM 4. HIDALGO COUNTY LIBRARY SYSTEM:

A. Renewal of Lease of Library System Offices

Bill McGee indicated that their lease was up for renewal and they would like to renew it in the same location, for a period of thirteen months. The monthly rent is for \$727.00. A motion was then made by Commissioner Arcaute and seconded by Commissioner Rosel, to approve a renewal of a lease for Library System, the renewal is for thirteen months, at a cost of \$727.00 per month.

MOTION CARRIED.
SEE "EXHIBIT L"

3/B

Commissioner Sanchez then went back to item 3, with regards to the authorization to appropriate funds. He indicated that this item was in reference to an insurance reimbursement. Judge Ruiz asked the Auditor where those monies were put and he responded that there were presently in the Miscellaneous Revenue Account. A motion was then made by Commissioner Sanchez and seconded by Commissioner Rosel, to amend the budget, from Miscellaneous Revenue, in the General Fund, to Building Repairs/Maintenance and Services, in the Sheriff's Department, in the amount of \$9,364.36.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 5. APPROVAL OF BUDGET AMENDMENTS:

- A. Insurance Account
- B. Attorneys' Fees - \$65,000.00
- C. Approval of Attorneys' Fees - \$110,627.00

5/A
NO ACTION.

5/B

Judge Ruiz informed the Commissioners that this budget amendment request was just to cover pending bills and it was not to carry them over until the end of the year. A motion was made by Commissioner Camarillo and seconded by Commissioners Rosel and Sanchez, to approve a budget amendment of \$65,000.00, to be allocated to attorneys' fees.

MOTION CARRIED.
SEE "EXHIBIT M"

5/C

A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to approve court appointed attorneys' fees in the amount of \$110,627.00.

MOTION CARRIED.
SEE "EXHIBIT M"

- ITEM 6. J.D. SALINAS, PROJECT COORDINATOR:
 - A. Budget Amendment - Financial Disruption Task Force
 - B. Authorization to advertise for a portable chipper - Lower Rio Grande Development Council
 - C. Approval of Contract between College of Architecture, Texas A & M University & County of Hidalgo - SBA National Tree Planting Program - Texas Forest Service
 - D. Appropriation of budget - Texas Forest Service SBA Grant

6/A

J.D. Salinas came before the Court requesting a budget amendment of \$4,285.00, in order to reimburse some overtime pay, to an employee who had left. He mentioned that this request has been approved by the State and it is to come from their program income. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to approve a budget amendment of \$4,285.00 from Aide to other Governments to Court Order Confiscated Program Income.

MOTION CARRIED.
SEE "EXHIBIT N"

6/B

Mr. Salinas stated that this was for a grant in the amount of \$10,000.00, from TNRCC, and it was to be used for the purchase of a portable chipper. He was at this time requesting authorization to go out for quotes for the purchase of the portable chipper. After a brief discussion, with regards to the kind of chipper that could be purchased with this amount of money and amount of time left to expend these funds, a motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to accept this grant, authorize the purchase of a portable chipper and authorize the Purchasing Agent to receive quotes

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for this particular purchase, to be made under \$10,000.00.

MOTION CARRIED.
SEE "EXHIBIT N"

6/C

Mr. Salinas indicated that grant No. 930906, awarded by the Texas Forest Service was to be used by the Texas A & M University System to plant approximately 28 trees and match the grant in cash. These trees would be planted at the Progreso Community Center, with the in-kind to be done by their professional services and the County crew would water and maintain the trees, as per agreement. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve a contract agreement, between the College of Architects, of Texas A & M University and the County of Hidalgo, for tree service, in the Progreso Community Center.

MOTION CARRIED.
SEE "EXHIBIT N"

6/D

Mr. Salinas reported that he would like to bring this item back to Court the following week.

NO ACTION.

ITEM 7. PURCHASING DEPARTMENT:

- A. Award bid for Janitorial Supplies
- B. Consideration for correction on bid for paving of Diamond 1 Subdivision - Pct. 3

7/A

Mary Maldonado, the Purchasing Agent, informed the Commissioners that she had received five bids, these being Blue Star Chemical, out of Edinburg; Astro Supply Company, out of McAllen, Century Papers, out of McAllen; Brown & Joiner, Inc., out of Harlingen; and Clean-Rite, out of Edinburg. She indicated that Century Papers and Brown & Joiner were disqualified, as they could not honor the bids for a one year period and of those bids that did qualify, none of them had prices for all sixty-seven products that were advertised. At this time, she was requesting that Blue Star be awarded seven (7) products, Astro Supply Company twenty-five (5) products and Clean-Rite twenty-three (23) products, as the low bidders meeting all specifications. Ms. Maldonado then inquired on the products that were not advertised, if she should advertise again, or if she can go out for quotes, as she did not feel that this purchase would go over the \$10,000.00 limit. Judge Ruiz informed her, to award on the present bids and if at a later time she felt that she should go out for bids on the remaining items, that she bring it to Court, at a later time. A motion was then made by Commis-

sioner Sanchez and seconded by Commissioners Rosel and Arcaute, to award the bids to Blus Star, for seven (7) products, Astro Supply Company for twenty-five (25) products and Clean-Rite, for twenty-three (23) products, as low bidders that meet specifications.

MOTION CARRIED.
SEE "EXHIBIT O"

A motion was then made by Commissioner Sanchez and seconded by Commissioner Camarillo, to reject any/and all bids, for any other product that was bid, in this particular advertisement, other than the fifty-five that were approved.

7/B

Ms. Maldonado indicated that there was an error in the bid by Mission Paving. She mentioned that the unit price was for \$2.30 per square yard, but in their total bid they had submitted an amount of \$5,635.00, and the correct amount was for \$7,935.00, for a total of 3450 square yards. After a brief discussion, with regards to how this item was bid out, Ms. Maldonado specified that this was a sole bid and the bid had specified on a per unit price. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to ratify that the bid received by Mission Paving Company, for the paving of certain roads, in Diamond L Subdivision, is on a per unit price, at \$2.30 per square yard.

MOTION CARRIED.
SEE "EXHIBIT O"

ITEM 8. PCT. #4:

- A. Authorization to initiate action against Reginald Adams, Carlos Saavedra & Ruth Saavedra, et al. (Adam Lee Subdivision)

Travis Heister, the County Legal Counsel, informed the Court that about two weeks ago a situation had been presented to the Commissioners' Court, with respect to a subdivision that was in Precinct Four, called Adam Lee Subdivision. He added that the problem had arisen when a person had tried to acquire a permit and he was not allowed, as the developer had not complied with the subdivision regulations, at the time the subdivision, was approved. He continued by saying that this subdivision plat had been approved by Commissioners' Court, in 1981 and the developers names were on the bond, which was for a small amount. Mr. Heister indicated that the subdivision regulations at that time only called for the subdivider to place eight inches of compacted caliche on a twenty foot wide road and the culvert pipes for the driveway, but neither of these was done nor has been done, by the subdivider. He has been informed that if a road is placed within the subdivision, then the water supply will go in and lay the water line. He stated that at the

names that appear on the agenda, are the original subdividers, as well as Juan and Roberto Zuniga and another person by the name of Cavazos. He was at this time wanting to know if this Commissioners' Court wanted to pursue this matter, because the only thing that they would be able to do is to file a suit "to enjoin these people from selling any lots or conveying any property, in that subdivision, without first complying with the subdivision requirements, as they existed back in 1981". Commissioner Camarillo then mentioned that he has dealt with this situation for almost a year and at one point, he had even proposed to Mr. Zuniga, that the County would do all the base work and provide the caliche, if he would provide the hauling and Mr. Zuniga responded that he felt that this was the County's responsibility. After further comments, a motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, authorize legal action and file an injunction against the particular individuals, from selling any other lots within Adam Lee Subdivision.

MOTION CARRIED.

With respect to the families that were already living within the subdivision, the County Judge directed that the Planning Department provide a waiver and a variance for them to start building their homes, but this had to be requested through Commissioners' Court action. He also requested that the Planning Department check to see what was needed to bring this subdivision up to standards, such as flooding, septic tanks, ect. Judge Ruiz then addressed the residents, from Adam Lee Subdivision, and informed them of the action that was taken, after which a representative briefed the Court of a meeting between the developer, Commissioner Camarillo and the residents, with regards to the construction of the road and this resulted in a discussion.

ITEM 9. URBAN COUNTY:

- A. City of La Villa - Change Order No. 3 - Fresno Construction Company
- B. TCDP Contract No. 702035 - Amendment
- C. HOME - First-time Homebuyer Contract Agreements and letter of Commitment to Mortgage Company
- D. City of Edcouch - HOME Housing Rehabilitation Program Change Order
- E. City of Palmview - HOME Housing Rehabilitation Program - Construction Contract Award
- F. City of Donna - HOME Housing Rehabilitation Program - Cancellation Case #DO9202
- G. Approval of bills

9/A

The City of La Villa was requesting approval of change order number three, with Fresno Construction Company, on a water improvement project, for their reservoir. The amount of the change order

is \$1,250.00. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve change order number three, in the amount of \$1,250.00, with Fresno Construction Company.

MOTION CARRIED.
SEE "EXHIBIT P"

9/B

Anthony Covacevich, the Urban County Director, informed the Court that under a colonia contract with the State, for project 702035, he was bringing an amendment to delete La Flora Subdivision, from the list of proposes project. The reason for the deletion is that there are not enough funds presently, to do any work within this subdivision. He added that this subdivision will be considered in the next funding stage. A motion was made by Commissioner Sanchez and seconded by Commissioners Arcaute and Camarillo, to approve an amendment to our Texas Colonia Grant #702035, deleting any improvements to the La Flora Subdivision.

MOTION CARRIED.
SEE "EXHBIIT P"

9/C

Mr. Covacevich indicated that under the HOME First-Time Homebuyers agreements, he had six applications for consideration and these were the following, with the respective mortgage companies:

- | | |
|-------------------------|---------------------------------|
| Maria Del Carmen Magana | Farmers Home Administration |
| Robert Mendez | Farmers Home Administration |
| Luis Eduardo Salinas | Farmers Home Administration |
| Abel C. Martinez | Farmers Home Administration |
| Jaime Pena | Robert Peralez, Jr. - Builder |
| Benancio Cardoza | Texas Commerce Mortgage Company |

A motion was then made by Commissioner Camarillo and seconded by Commissioner Rosel, to approve six residents, receiving First-time Homebuyer assistance, of \$1,200.00 and also the letters of commitment to mortgage companies, going to Farmers Home Administration, Robert Peralez, Jr., as a builder and Texas Commerce Mortgage Company.

MOTION CARRIED.
SEE "EXHIBIT P"

9/D

The City of Edcouch wsa requesting approve of a change order on a rehabilitation program contract, with A-2-Z Construction Company. The amount of the change order is \$1,625.00 and is for work that was unforeseen, such as termite damage, etc. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve change order number one, adding \$1,625.00 to A-2-Z Construction Company contract; rehab program for Trinidad Garcia.

MOTION CARRIED.
SEE "EXHIBIT P"

(11/29/94)

9/E

The City of Palmview was asking permission to enter into contract with the sole bidder, being A-2-Z Construction, in the amount of \$39,000.00, for rehabilitation construction of three homes in the Palmview area. A motion was made by Commissioner Rosel and seconded by Commissioners Arcaute and Camarillo, to award the contract, as presented.

MOTION CARRIED.
SEE "EXHIBIT P"

9/F

Mr. Covacevich stated that the City of Donna was asking for the cancellation of a Housing Rehabilitation Program case. The case number is D09202 and it was for a house where the applicant was Aurora Vasquez, but the property was in her six daughters' names. She was given six months, to clear the title, which hasn't been done and therefore the request. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to authorize the cancellation of case D09202, in the City of Donna, under the HOME Housing Rehab Program.

MOTION CARRIED.
SEE "EXHIBIT P"

9/G

A motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to approve the 1993 Urban County bills #7066 thru #7068 totaling \$21,404.33; the 1994 Urban County bill #7069 in the amount of \$1,923.06; the 1992 HOME Program bills #7070 thru #7079 totaling \$26,829.00 and the CASA Program bills #7080 thru #7082 totaling \$459.50. The total Urban County memorandum to be approved is \$50,615.89.

MOTION CARRIED.
SEE "EXHIBIT P"

ADD. 1. EXECUTIVE SESSION:

- A. Commissioners' Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.071, to discuss the following matter:
1. Settlement of Subrogation Claims regarding payment of medical expenses for two (2) indigents

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

NO ACTION.

ADD. 2. OPEN SESSION:

- 1. Settlement of Subrogation Claims regarding payment of medical expenses for one (1) indigent (Corrected)

Travis Heister informed the Court that this was for one indigent patient, Yvonne Garza and there was a settlement of an insurance claim, a personal injury claim against another person, who had run into this lady and the total settlement available was \$100,000.00. He added that this person had a very serious injury, and the medical expense has been right at \$61,000.00. He stated that she was indigent and that she had applied for Medicaid assistance, but was denied and is presently appealing this claim. He added that to date this County has advanced an amount of \$16,702.12 and her attorneys have recommended to her and she has agreed to a settlement of \$100,000.00. Her attorneys had also gone to talk to her medical providers and they have agreed to reduce their claims, to about \$15,000.00. He continued by saying that "the total amount to the plaintiff, if the County were to reduce their subrogation claim, by half, which they've requested, would only be \$27,515.00" and this is for an injury that has totaled about \$61,000.00. The request at this time is that the County accept half of the money advanced by the County which would be the sum of \$8,351.06. Mr. Heister then said that Mr. De La Vina has said that the "County would not want to give up its right to recover any benefits, that would be attributable to the Medicaid appeal, if that is successful, on her behalf". Judge Ruiz then reiterated that the amount that has been expended by our Indigent Health Care Program in this particular case is \$16,702.12 and at this point the settlement offer is \$8,351.00, which is 50% of our expenses and he was recommending that this Commissioners' Court settle this particular claim at 50%. A motion was then made by Commissioner Arcaute and seconded by Commissioner Rosel, to this effect.

MOTION CARRIED.

There being no further business to come before the Court, a motion was made by Commissioner Sanchez and seconded by Commissioners Rosel and Arcaute, 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. LINE ITEM TRANSFER

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to a \$9,000.00 line item transfer, from Right of Way and Motor Vehicles to Other Repairs.

MOTION CARRIED.
SEE "EXHIBIT Q"

ITEM 2. PERMIT - City of Pharr, City of Edinburg & ARTSOB Enterprises

Vona Walker explained that the City of Pharr was requesting a drainage permit to go into the Pharr-McAllen Lateral, for the Holiday Retirement Community Center, that is being built on Ridge Road. She also mentioned that the City of Edinburg was requesting permission to cross the North Main, with a sewer line, on the south side of Freddy Gonzalez and ARTSOB Enterprises are developing a subdivision on Mile 14 1/2 and F.M. 493. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve the permit requests, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

ITEM 3. AUTHORIZATION TO DECLARE WORD PROCESSOR SURPLUS

Ms. Walker informed the Court that no action would be needed on this item, as this piece of equipment would be transferred to the Purchasing Department.

NO ACTION.
SEE "EXHIBIT S"

ITEM 4. SET SALARIES FOR YEAR 1995

A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to set salaries, as presented.

MOTION CARRIED.

SEE "EXHIBIT T"

There being no further business to come before the Drainage District, a motion was made by Commissioner Camarillo and seconded by Commissioners Arcaute and Rosel, 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 _____
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 29TH day of NOVEMBER, 1994.

ATTEST:

WILLIAM R. LEO, County
Hidalgo County, Texas

By: 
Jennifer Castillo, Deputy

