

00191-001

R U I Z

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on MONDAY, FEBRUARY 13, 1995 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 Minutes - January 31, 1995
3. Approval of Voting Machines:
 - A. Weslaco ISD - 12 machines
4. Approval of Court Reporter's Fees:
 - A. Hennigh-Quin-Ramirez & Associates, L.T.D. - \$ 150.00
5. Approval of Attorney's Fees - \$ 1,972.50
6. Planning Department:
 - A. Subdivisions:
 1. Trinity Worship Center Subdivision - Pct. 2
 2. Mayberry Manor Subdivision - Pct. 3
7. Internal Line Item Transfers:
 - A. Constable Pct. 5
 - B. Pct. #1 - Road & Bridge
 - C. Election Administration
 - D. 139th District Court
8. Set and approve amount of Compensation, Office and Travel Expenses and other Allowances for County and Precinct Officers and Employees

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

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9. Permits:
- A. North Alamo Water Supply - Pct. 1
 - B. Southwestern Bell Telephone - Pct. 4

Dated this the 09th day of February, 1995

R U I ZJ. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on MONDAY, FEBRUARY 13, 1995 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. Tax Assessor/Collector
 - A. Tax Refund:
 1. Salvador Gonzalez Jr. - \$ 1,039.54
2. Approval of Proclamation designating February 12 thru 18 as "Child Passenger Safety Awareness Week"
3. Approval of Agreement between Hidalgo County and Hidalgo County Historical Museum for the year 1995
4. Approval of Interlocal Agreement between the City of Donna and the County of Hidalgo
5. Budget Amendments:
 - A. Election Administration
6. Buildings and Grounds:
 - A. Approval to transfer position and set salary
7. Health Department:
 - A. Regional Infant Screening Consortium
 1. Authorization and approval to transfer salary and internal line item transfer
 2. Set salary
 - C. Discussion and possible action on new roof for Health Dept.
 - D. Approval of HIV and STD prevention Grant in the amount of \$ 24,540.00
8. Declare Equipment Surplus:
 - A. Office Equipment - County Auditor
 - B. Office Equipment - County Clerk
 - C. Office Equipment - County Extension Service
9. D.P.S.:
 - A. Authorization and approval to increase monthly rent from \$ 500.00 to \$ 550.00
 - B. Authorization and approval of contract on a monthly basis
 - C. Request to advertise for office space

R U I Z

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

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10. Request for Cellular Phones:
 - A. Election Administration
 - B. Urban County
 - C. Adult Probation
 - D. Boot Camp
 - E. Health Department
 - F. Regional Infant Screening Consortium

11. J. D. Salinas:
 - A. Authorization to submit Grant Application to TNCP for continuous program funding for Hidalgo County Drug Impact Court

12. Pct. #3:
 - A. Authorization to transfer 1994 Park Estimated Fund Balance into General Fund for 1995 Ambulance Services
 - C. Resolution designating a County Intersection as a four (4) way stop intersection

13. Purchasing Department:
 - A. Award Bids:
 1. Hand Held Radios - Sheriff's Department
 2. Phone System - WIC

14. Planning Department:
 - A. Subdivisions:
 1. Resubdivision of lots 33-34 El Sol Subdivision Unit #2 - Pct. #3
 - B. Final Plat Approval:
 1. New Donna North Plaza Subdivision - Pct. #1
 2. El Sol subdivision Unit #3 - Pct. #3
 3. Silverado South Subdivision - Pct. #3
 4. Loma Blanca Subdivision - Pct. #4
 - C. Preliminary Plat Approval:
 1. Oak Tree Estates - Pct. #4

15. Urban County:
 - A. City of Elsa - Year 7 PFI - Water Improvements Contract for Project A - Phoenix Tank Services; Project B - Kerville Painting; Project C - McRea Water Tower, Inc.

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HIDALGO COUNTY JUDGE

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Continuation - Urban County

- B. City of Elsa - Year 7 Street Improvements Contract Sascon, Inc.
- C. City of Weslaco - PFI - Street Improvements Year 7 Construction Contract/Sascon Inc. (B-94-UC-48-0501)
- C. Pct. #1 and County Wide - Public Hearing on Proposed Amendment for UCP Year 7
- D. Pct #1 and County Wide - Budget Amendments Year 7
- E. City of Hidalgo - Home Housing Rehabilitation Program - Construction Contract Award
- F. City of la Joya - HOME Housing Rehabilitation Program - Construction Contract Award
- G. City of San Juan - HOME Housing Rehabilitation Program - Construction Contract Award
- H. Home - "First-Time Homebuyer Contract Agreements" and Letter of Commitment to Mortgage Company
- I. TCDP Contract No. 702035 St. Louis Groves - Change Order #1
- J. Public Hearing for Designation of county Re-investment Zone on February 13, 1995
- K. Approval of Order Designating Certain Property as an Re-Investment Zone
- L. Approval of Bills

Dated this the 09th day of February, 1995

J. EDGAR RUIZ
HIDALGO COUNTY JUDGE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a REGULAR MEETING of the Commissioners' Court will be held on MONDAY, FEBRUARY 13, 1995 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

DRAINAGE DISTRICT

1. Permit - North Alamo Water Supply
2. Authorization & approval to declare emergency to pay bill and exempt from bidding process
3. Authorization & approval to re-appropriate & carry over forward balance of \$ 144,932.00 - purchase order #078069 - McAllen Construction Co. - Rancho Santa Cruz & Linda Vista Projects

Dated this the 09th day of February, 1995

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 13TH day of FEBRUARY, 1995, after due notice having been given, there was begun and holden, a REGULAR 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. Guadalupe "Lupe" Garces
County Commissioner, Precinct #4

WHEREUPON, the following proceedings

were had, to-wit:

The Honorable Abelardo "Lalo" Arcaute, County Commissioner for Precinct Two, called the Commissioners' Court meeting to order, whereupon the following proceedings were had, to-wit:

CONSENT AGENDA
=====

ITEM 1. APPROVAL OF BILLS - County Auditor
General Fund - #106714 - #106882 - \$354,034.86
Special Revenue Fund - #106817 - #107071 - \$145,964.74
Debt Service Fund - # 951 - # 952 - \$145,013.59
Trust and Agency Fund - # 4570 - # 4571 - \$ 50,435.61
Enterprise Fund - # 2184 - # 2191 - \$ 1,216.67
(SEE "EXHIBIT A")

ITEM 2. APPROVAL OF MINUTES - January 31, 1995

ITEM 3. APPROVAL OF VOTING MACHINES:
A. Weslaco ISD - 12 machines
(SEE "EXHIBIT B")

ITEM 4. APPROVAL OF COURT REPORTERS' FEES:
A. Hennigh-Quin-Ramirez & Associates, L.T.D. - \$150.00
(SEE "EXHIBIT C")

ITEM 5. APPROVAL OF ATTORNEYS' FEES - \$1,972.50
(SEE "EXHIBIT D")

ITEM 6. PLANNING DEPARTMENT:
A. Subdivisions:
1. Trinity Worship Center Subdivision - Pct. #2
2. Mayberry Manor Subdivision - Pct. #3

6/A

Trinity Worship Center Subdivision is located south of Minnesota Road, on the west side of U.S. Expressway 218, City of Pharr, Precinct Two.

(SEE "EXHIBIT E")

6/B

Mayberry Manor Subdivision is located North Mayberry Road and Alameda Drive, City of Mission, Precinct Three.

(SEE "EXHIBIT E")

ITEM 7. INTERNAL LINE ITEM TRANSFERS:

- A. Constable Pct. 5 - \$2,200.00
- B. Pct. #1 - Road & Bridge - \$500.00
- C. Election Administration (1994) - \$5,235.75
- D. 139th District Court - \$4,700.00

(SEE "EXHIBIT F")

ITEM 8. SET AND APPROVE AMOUNT OF COMPENSATION, OFFICE AND TRAVEL EXPENSES AND OTHER ALLOWANCES FOR COUNTY AND PRECINCT OFFICERS AND EMPLOYEES

(SEE "EXHIBIT G")

ITEM 9. PERMITS:

- A. North Alamo Water Supply - Pct. 1
- B. Southwestern Bell Telephone - Pct. 4

9/A

In Precinct One, North Alamo Water Supply is requesting a permit for a two inch water line within Victoria Road Subdivision.

(SEE "EXHIBIT H")

9/B

In Precinct Four, Southwestern Bell Telephone is requesting a permit to lay a cable along Morningside Road, beginning at Iowa Road and going south to Rincon de Encinos Subdivision.

(SEE "EXHIBIT H")

Commissioner Arcaute began by stating that there would be no action on Item 8, with regards to salaries and Mrs. Etnire explained that the County Clerk's Office needed to adjust the budget. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to

approve the Consent Agenda, as amended.

MOTION CARRIED.
SEE "EXHIBITS A-H"

Before going into the Regular Agenda, Commissioner Arcaute announced that he would like to present a resolution, in honor of the late U.S. Marine Sgt. Freddy Gonzalez. He added that an aegis destroyer would be christened, in honor of Mr. Gonzalez, in Bath, Maine, on February 18th. (SEE "EXHIBIT I")

REGULAR AGENDA
=====

- ITEM 1. TAX ASSESSOR/COLLECTOR:
 - A. Tax Refund:
 - 1. Salvador Gonzalez, Jr. - \$1,039.54

A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to approve a tax refund to Salvador Gonzalez, Jr, in the amount of \$1,039.54.

MOTION CARRIED.
SEE "EXHIBIT J"

- ITEM 2. APPROVAL OF PROCLAMATION DESIGNATING FEBRUARY 12 THRU 18 AS "CHILD PASSENGER SAFETY AWARENESS WEEK"

Lisa Saucedo, Traffic Safety Coordinator, came before the Court to present a proclamation designating the week of February 12 thru the 18th, as "Child Passenger Safety Awareness Week". She mentioned that this was a national effort and she would be going to classrooms to promote child safety. A motion was made by Commissioner Sanchez and seconded by Commissioner Rose, to approve the proclamation, as presented.

MOTION CARRIED.
SEE "EXHIBIT K"

- ITEM 3. APPROVAL OF AGREEMENT BETWEEN HIDALGO COUNTY AND HIDALGO COUNTY

HISTORICAL MUSEUM FOR THE YEAR 1995

Commissioner Arcaute explained that this was an annual agreement that the County has had with the Historical Museum, for a number of years. The amount of the contract is \$110,000.00, in monthly installments of \$9,166.66 and it was in the budget. A motion was made by Commissioner Garces and seconded by Commissioner Rosel, to approve a contract between the County of Hidalgo and the Historical Museum, as presented.

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 4. APPROVAL OF INTERLOCAL AGREEMENT BETWEEN THE CITY OF DONNA AND THE COUNTY OF HIDALGO

Commissioner Sanchez indicated that this was an interlocal agreement whereby the City of Donna's City Manager would be assisting the County, through consulting services, in working on bridge crossings at Diaz-Ordaz. As per the contract the County would compensate Mr. Robert Diaz De Leon, for travel and lodging, while under contract with the County. Commissioner Rosel asked if there was a cap on the amount that Mr. Diaz De Leon would be compensated and Commissioner Sanchez referred to the contract, item 5, where it stated "City Manager provides documentation, satisfactory to the County". A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve the interlocal agreement with the City of Donna.

MOTION CARRIED.
SEE "EXHIBIT M"

ITEM 5. BUDGET AMENDMENTS:
A. Election Administration

Commissioner Arcaute explained that this was a budget amendment request and Mrs. Etnire added that it was for 1994. Commissioner Rosel then pointed out that he felt that this Court had agreed that after all expenses incurred by the former department would be incurred by the new department. Mrs. Etnire informed him that a few weeks ago, it had been brought to the Court's attention that there were some outstanding bills for office supplies, from the 1994 General Election that had not been brought to Court for approval. She added that the amount being requested at this time was for \$22,082.26 for office supplies. Commissioner Rosel continued by saying that this understanding was that the Auditor was supposed to come in and bring the bills for the Court's approval and the County Auditor stated that these figures were previously submitted by Florestella Chavez and as per her compilation, the amount needed to pay

these bills was \$26,649.07. Commissioner Sanchez indicated that the last time that this item was presented to Court, they had approved the payment of salaries to the people that had worked on the election and the payment of supplies was left pending, until an amount for the supplies was calculated. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to accept the report and authorize the expenditures, to close the '94 budget for Election Administration.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 6. BUILDINGS AND GROUNDS:

A. Approval to transfer position and set salary

Raul Hernandez, County Superintendent, came before the Court, requesting the transfer of a position from Minor Structures to Maintenance and the salary to be set at \$9,746.10. Commissioner Sanchez then clarified that the request was to delete a position, from Minor Structures, and creating a position, under Maintenance, setting a salary at \$9,746.10. A motion was made by Commissioner Garces and seconded by Commissioner Rosel, to approve the request, as presented.

MOTION CARRIED.
SEE "EXHIBIT O"

ITEM 7. HEALTH DEPARTMENT:

A. Regional Infanct Screening Consortium:

1. Authorization and approval to transfer salary and internal line item transfer
 2. Set Salary
- B. Discussion and possible action on new roof for Health Dept.
C. Approval of HIV and STD prevention Grant in the amount of \$24,540.00

7/A/1

Erasmus Salinas, Jr., RISC Program Coordinator, came before the Court requesting authorization to transfer \$2,319.80 into the salary line item, in order to increase the salary of his Administrative Secretary. The basis for the request was that this program would be expanding to provide services to Cameron and Willacy Counties. Commissioner Arcaute asked him if any of the other counties would be contributing to this expansion and Mr. Salinas informed him that this was all being paid through a State grant. Commissioner Sanchez asked him if this secretary had already received the 5% salary increase, that was approved for all employees and Mr. Salinas responded that, under this program, she had received a 3% increase, as it was all that was awarded by the

State. A question arose as to how much of an increase was being proposed above the 5% and Commissioner Sanchez calculated it at approximately 12.5%. Ofelia Espinoza indicated that the monies would be coming from travel and telephone, and Commissioner Arcaute stated that he did not approve of the transferring of monies from other line items into the salary line item and vice versa. Commissioner Sanchez then stated that he was in favor of granting salary increases for additional duties or the upgrading of a position, as long as it was within the 5% salary increase. Commissioner Garces asked Mr. Salinas what the added responsibilities would be and the response was that the work would increase with the addition of the two counties, as well as the two additional staff members. A discussion ensued with regards to the justification of the increase with respect to the increase in duties and this was followed by a motion by Commissioner Rosel and a second by Commissioner Garces to approve the internal line item transfer, of \$2,319.80.

MOTION CARRIED.
SEE "EXHIBIT P"

7/A/2

A motion was made by Commissioner Garces and seconded by Commissioner Sanchez, to approve an increase in salary to \$17,974.00.

MOTION CARRIED.
SEE "EXHIBIT P"

7/B

Ofelia Espinoza, from the Health Department, came before the Court to give an update on the repair of the roof at the Health Department. She mentioned that in their packs, the Commissioners had received some information from the architect on the amount possibly needed for the repair. Raul Hernandez, the County Superintendent, then came up and mentioned some other specifications that were provided by Guerrero-Alcocer Architectural Group, back in March of 1994. Commissioner Sanchez then informed him that this Court had appointed Ed Alvarado, some months back and he wanted to know what the recommendation of this architect was and Ms. Espinoza stated that the architect was proposing two figures, one at \$150,000 and the other at \$233,800.00 with the recommendation being for the latter figure. Steve Crain, the County Legal Counsel, indicated that the contract in the pack was not the standard county form and he wanted to know if this contract had been approved and Commissioner Sanchez indicated that this Court had taken action to hire Mr. Ed Alvarado. Mrs. Etnire informed them that this Court had taken action to hire him, but the contract was never presented for approval. A discussion ensued with regards to the work performed, without a signed contract and Commissioner Arcaute said that the work was authorized, by this Court, whether the contract was signed or not and the decision that had to be made at this time was whether to accept the recommendation or not. Commissioner Sanchez then asked where the money for the repairs would be coming from and Ms. Espinoza stated that being that there were no available funds within her budget, it would have to come out of General Fund. Commissioner Arcaute asked her whether any monies had been budgeted

(02/13/95)

during budget time and Ms. Espinoza responded that none were budgeted. Commissioner Rosel then pointed out that sometime back a figure of \$36,000.00 had been brought up for the repair and Commissioner Sanchez said that that was to patch up the roof. Commissioner Rosel continued by saying that at that time Commissioner Arcaute had also mentioned that it would probably be less expensive to let the county crew build a new roof over the present roof. Commissioner Arcaute came back to the issue at hand by saying that no matter what was discussed previously, now that they had the plans, they would have to go out for bids for the construction of the roof and the decision at this time was for what kind of roof was needed. Raul Hernandez then stated that he felt that his people in Minor Structures could possibly build this roof at a lower cost than what was being proposed by the architect and Commissioner Sanchez asked him if that was so, then why was the roof not built before and Mr. Hernandez indicated that it could not be done without the consent of this Court. A motion was finally made by Commissioner Sanchez and seconded by Commissioner Rosel, to take this item UNDER ADVISEMENT, and that they sit down with Mr. Hernandez, to see if he can determine what kind of roof is needed, and if his crew can construct it.

MOTION CARRIED.
SEE "EXHIBIT P"

7/C

Ms. Espinoza indicated that this was a contract amendment to the Bureau of HIV and STE Prevention Grant, in the amount of \$24,540.00. She stated that she would come back at a later date to set salaries, within this amendment, as the amount was not enough to hire a social worker or an RN. A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to TABLE this item.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 8. DECLARE EQUIPMENT SURPLUS:

- A. Office Equipment - County Auditor
- B. Office Equipment - County Clerk
- C. Office Equipment - County Extension Service

8/A

Steve Austin, the County Auditor, indicated that he would like to clarify the request from this office, by saying that the request is not to declare any equipment surplus, but to transfer any equipment to the Purchasing Agent, for the purposes of use in other departments, as there was some good equipment there. Commissioner Arcaute then asked him that if the equipment was good, why would he want to get rid of it and Mr. Austin replied that he did not have any space within his office for this equipment. Mr. Austin also pointed out that he felt that the intent of the the other departments was the same as a lot of

the equipment was still in good condition. Commissioner Arcaute informed the Commissioners that this Court had determined that the language "surplus" was only to remove it from the departments inventory and once it was declared surplus, it was up to the Purchasing Agent, or the departments to transfer it to other departments that can use it and if it was not then it was put in storage and/or auctioned off. Mr. Austin continued his argument by saying that usually when equipment is declared surplus, the motion that is taken by the County Judge is to authorize the Purchasing Agent to dispose of said property and he felt that be definition, this Court was instructing the Purchasing Agent, that this equipment is no longer needed and that it should be sold at auction. Commissioner Arcaute clarified the issue by saying that when they said to dispose of it properly, it meant to either transfer it or sell it. Steve Crain, the County Legal Counsel, informed the Court that the declaration of property surplus was a two part step, with the first step being the declaration of equipment surplus and the second step being the advertisement for auction, if the equipment is not needed by the County. Commissioner Sanchez added that he felt that the departments should contact the Purchasing Agent of any equipment that they could possibly use and not the other was around. Commissioner Arcaute recommended that she could maybe do as the Personnel Department does, by posting a list of the available equipment. A motion was made by Commissioner Garces and seconded by Commissioner Sanchez, to declare office equipment surplus, from the County Auditor's Office.

MOTION CARRIED.
SEE "EXHIBIT Q"

8/B

A motion was made by Commissioner Garces and seconded by Commissioner Rosel, to declare office equipment surplus, at the County Clerk's Office.

MOTION CARRIED.
SEE "EXHIBIT Q"

8/C

A motion was made by Commissioner Garces and seconded by Commissioner Rosel, to to declare office equipment surplus, at the County Extension Service.

MOTION CARRIED.
SEE "EXHIBIT Q"

ITEM 9. D.P.S.:

- A. Authorization and approval to increase monthly rent from \$500.00 to \$550.00
- B. Authorization and approval of contract on a monthly basis
- C. Request to advertise for office space

(02/13/95)

9

9/A

A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to authorize the increase of monthly rent from \$500.00 to \$550.00, on a lease agreement with Mr. Larry Dittburner.

MOTION CARRIED.
SEE "EXHIBIT R"

9/B

A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to authorize a lease agreement with Larry Dittburner on a monthly basis.

MOTION CARRIED.
SEE "EXHIBIT R"

Steve Crain, the County Legal Counsel, informed the Commission-month to month basis. He did want to point out however that the only change was for the increase in the monthly amount.

9/C

NO ACTION.

- ITEM 10. REQUEST FOR CELLULAR PHONES:
- A. Election Administration
 - B. Urban County
 - C. Adult Probation
 - D. Boot Camp
 - E. Health Department
 - F. Regional Infant Screening Consortium

Commissioner Garces asked the Court to table this item, as he would like to meet with the various department heads, to find out their basis for a cellular phone. A motion was made by Commissioner Garces and seconded by Commissioner Rosel, to TABLE all of Item 10.

MOTION CARRIED. (COMMISSIONER ARCAUTE VOTED AGAINST THE MOTION.)
SEE "EXHIBIT S"

ITEM 11. J.D. SALINAS:

- A. Authorization to submit Grant Application to TNCP for continuous program funding for Hidalgo County Drug Impact Court

J.D. Salinas came before the Court requesting authorization to submit a grant application, to the Texas Narcotics Control Program, for

the Hidalgo County Drug Impact Court. He added that in 1994 this Court disposed of approximately 658 drug cases and the request, at this time, was for the fourth year of funding. He continued by saying that the application called for \$268,581.00 in Federal funds with the cash match being \$89,527.00, which would be provided through the Combined Governmental Task Force, through the City of McAllen. Mr. Salinas pointed out that he would ask for the Combined Governmental Task Force to continue funding this grant to match it. He also said that this grant application would add a new focus, by addressing not only drug cases, but also violent crimes related to drug cases, as requested by the Governor's Office. A motion was made by Commissioner Garces and seconded by Commissioner Rosel, to approve the request, as presented.

MOTION CARRIED.
SEE "EXHIBIT T"

ITEM 12. PCT. #3:

- A. Authorization to transfer 1994 Park Estimated Fund Balance into General Fund for 1995 Ambulance Services
- B. Resolution designating a County Intersection as a four (4) way stop intersection

12/A

Commissioner Rosel stated that this was in regards to the ambulance service contract for 1995 and he was wanting to take an amount of \$38,000.00 from his Park Fund fund balance, and put it in the General to be dispersed as follows: \$28,500.00 going into Aid to Other Governments and \$9,500.00 going into ambulance service. He said that this amendment was for the agreements with Alton, La Joya and Palmview with the \$9,500.00 being for the rural areas, in Precinct Three. A motion was made by Commissioner Rosel and seconded by Commissioner Garces, to authorize the transfer of the 1994 Park estimated fund balance, into the General Fund, for the 1995 ambulance services.

MOTION CARRIED.
SEE "EXHIBIT U"

12/B

A motion was made by Commissioner Rosel and seconded by Commissioner Garces, to approve a four way stop sign at the intersection of Taylor Road and the 4 Mile Line.

MOTION CARRIED.
SEE "EXHIBIT U"

ITEM 13. PURCHASING DEPARTMENT:

(02/13/95)

A. Award Bids:

1. Hand Held Radios - Sheriff's Department
2. Phone System - WIC

13/A/1

Mary Maldonado, the County Purchasing Agent, came before the Court to report that she had received two bids for hand held radios from the Sheriff's Department. The bids were from Radio Communications Plus, for \$678.50 and from South Texas Communications at \$629.00. Her recommendation was for South Texas Communications. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to award bid to South Texas Communications, for hand held radios, for the Sheriff's Department, at a bid price of \$629.00.

MOTION CARRIED.
SEE "EXHIBIT V"

13/A/2

Ms. Maldonado then indicated that for the phone system, for the WIC Department, she had received seven bids, these being as follows:

Professional Phone Service	\$20,405.00
Tel Com System - Primary bid	\$27,202.62
Alternate bid	\$28,653.25
Brandon & Sons Communications	\$17,000.00
Communications by Design	\$28,000.00
Phone Den - Inter Tel	\$14,700.00
- NEC Control	\$27,600.00
ATE Phone Mart - GLX Plus	\$14,989.00
- DXTS	\$13,098.00
- Electra	\$26,506.00
Superior Alarms	\$14,815.00

She mentioned that at this time the recommendation was for ATE Phone Mart, on the DXTS system, being the low bid meeting all specifications. A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to award bid to ATE Phone Mart, on the DXTS system, as presented.

MOTION CARRIED.
SEE "EXHIBIT V"

ITEM 14. PLANNING DEPARTMENT:

- A. Subdivision:
 - 1. Resubdivision of lots 33-34 El Sol Subdivision Unit #2 - Pct. #3
- B. Final Plat Approval:
 - 1. New Donna North Plaza Subdivision - Pct. #1
 - 2. El Sol Subdivision Unit #3 - Pct. #3
 - 3. Silverado South Subdivision - Pct. #3
 - 4. Loma Blanca Subdivision - Pct. #4
- C. Preliminary Plat Approval:
 - 1. Oak Tree Estates - Pct. #4

14/A

A motion was made by Commissioner Rosel and seconded by Commissioner Garces, to approve the plat of the Resubdivision of Lots 33-34, El Sol Subdivision Unit #3, which is located on the southwest corner of the 4 Mile Line and Troesper Road, City of Palmhurst, Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT W"

14/B/1

A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to give final approval to the plat of New Donna North Plaza Subdivision, which is located approximately 1200 feet north of Mile 10 North on the west side of Old La Blanca Road, City of Donna, Precinct One.

MOTION CARRIED.
SEE "EXHIBIT W"

14/B/2

A motion was made by Commissioner Rosel and seconded by Commissioner Garces, to give final plat approval to El Sol Subdivision Unit #3, which is located on the 4 Mile Line and Troesper Road, City of Palmhurst, Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT W"

14/B/3

A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to give final plat approval to Silverado South Subdivision, which is located approximately 685 feet south of the 3 Mile Line, on the west side of Sharyland Road, City of Palmhurst, Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT W"

14/B/4

A motion was made by Commissioner Garces and seconded by

Commissioner Rosel, to give final plat approval to Loma Blanca Subdivision, which is located approximately 1/4 of a mile off F.M. 493, on the south side of Mile 13 North, in the rural area of the County, in Precinct Four.

MOTION CARRIED.
SEE "EXHIBIT W"

14/C

A motion was made by Commissioner Garces and seconded by Commissioner Rosel, to give preliminary approval to Oak Tree Estates, which is located approximately one-half mile north of Owassa Road, on the east side of Tower Road, in the rural area of the County, in Precinct Four. Preliminary approval is subject to the following conditions:

- 1) the street sign(s), traffic control device(s) and testing of the streets, all be done, in accordance to the County subdivision regulations; and
- 2) a letter from North Alamo Water Supply Corporation stating that all the water lines have been installed in accordance to their rules and regulations.

MOTION CARRIED.
SEE "EXHIBIT W"

ITEM 15. URBAN COUNTY:

- A. City of Elsa - Year 7 PFI - Water Improvements Contract for:
 1. Project A - Phoenix Tank Services
 2. Project B - Kerville Painting
 3. Project C - McRea Water Tower, Inc.
- B. City of Elsa - Year 7 Street Improvements Contract Sascon Inc.
- C. City of Weslaco - PFI - Street Improvements Year 7 Construction Contract/Sascon Inc. (B-94-UC-48-0501)
- D. Pct. #1 and County Wide - Public Hearing on Proposed Amendment for UCP Year 7
- E. Pct. #1 and County Wide Budget Amendments Year 7
- F. City of Hidalgo - HOME Housing Rehabilitation Program - Construction Contract Award
- G. City of La Joya - HOME Housing Rehabilitation Program - Construction Contract Award
- H. City of San Juan - HOME Housing Rehabilitation Program - Construction Contract Award
- I. HOME - First Time Homebuyer Contract Agreements and Letter of Commitment to Mortgage Company
- J. TCDP Contract No. 702035 St. Louis Groves - Change Order #1
- K. Public Hearing for Designation of County Re-investment Zone on February 13, 1995
- L. Approval of Order Designating Certain Property as a Re-in-

vestment Zone
M. Approval of Bills

15/A

Raul Lozano came before the Court and reported that the City of Elsa, was requesting permission to go into contract with Phoenix Tank Services, for \$46,264.38; Kerville Painting, for \$41,950.00; and McRea Water Tower, Inc., for \$25,600.00. These were all low bids on two ground storage rehabilitation projects and one elevated tank rehabilitation project, respectively. A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to approve the contracts, as presented.

MOTION CARRIED.
SEE "EXHIBIT X"

15/B

The City of Elsa was also requesting approval of a contract award, for a street improvements project, to the low bidder being Sascon, Inc., at a bid price of \$79,340.00. A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to approve a contract between Sascon, Inc., the City of Elsa and the County of Hidalgo for street improvements, in the amount of \$79,340.00.

MOTION CARRIED.
SEE "EXHIBIT X"

15/C

The City of Weslaco is requesting authorization to go into contract with Sascon, Inc., being the low bid, for street improvements, under their Year 7. They are the low bid at \$323,663.60. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel to award low bid to Sascon, Inc., as presented.

MOTION CARRIED.
SEE "EXHIBIT X"

15/D

Commissioner Arcaute called the public hearing open, after which Mr. Lozano indicated that the amendment was for the deletion of \$30,000.00 from Precinct One's Year 7 budget and creation of Fire Protection(Monte Alto) line item in the amount of \$5,000.00. The line item for Street Improvements was also being increased from \$317,500.00 to \$342,500.00. Under the County Wide Year 7, \$5,000.00 from unprogrammed funds would be used to create a line item of Fire Protection (Monte Alto), as well. Commissioner Sanchez explained that the Community of Monte Alto had approached him sometime back, if he could assist them with the purchase of a water pump, to as to enhance their fire fighting capabilities. After meeting with the County Judge, they both agreed that they would assist them with \$10,000.00, with \$5,000.00 coming from his Urban County budget and \$5,000.00 coming from County Wide. There being no further questions and/or comments, the public hearing was

closed.

NO ACTION.
SEE "EXHIBIT X"

15/E

A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to approve the budget amendments, as presented.

MOTION CARRIED.
SEE "EXHIBIT X"

15/F

Under the HOME Housing Rehabilitation Program, the City of Hidalgo was requesting approval of a construction contract award to Texas Enterprise for Housing Development, at a low bid of \$6,351.00. The contract is for one dwelling unit. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to award bid, as presented.

MOTION CARRIED.
SEE "EXHIBIT X"

15/G

The City of La Joya, also under the HOME Housing Rehabilitation Program was requesting approval of a construction contract award to Texas Enterprise for Housing Development, at a low bid price of \$56,183.00. The contract is for five dwelling units. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to award the contract, as presented.

MOTION CARRIED.
SEE "EXHIBIT X"

15/H

Again, under the HOME Housing Rehabilitation Program, the City of San Juan, was requesting approval of a construction contract award with Garza Plumbing, at a low bid price of \$94,800.00. This is for seven dwelling units. A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to award the contract, as presented.

MOTION CARRIED.
SEE "EXHIBIT X"

15/I

Mr. Lozano reported that under the HOME First-Time Home-buyer Program, he was bringing nine qualifying applicants for consideration. They are as follows, with their respective mortgage companies:

- | | |
|------------------|--|
| Ricardo Lara | Rural Economic & Community Dev.(Fm.H.A.) |
| Gloria Paramo | Rural Economic & Community Dev.(Fm.H.A.) |
| Gustavo Martinez | Rural Economic & Community Dev.(Fm.H.A.) |
| Armando Martinez | Frontera Mortgage |
| Juan A. Garcia | Frontera Mortgage |

Eduardo Caballero
Esmeralda Garza
Candelario Almanza
Jose Ramirez

Frontera Mortgage
Frontera Mortgage
Texas Commerce Bank
Aegis Mortgage

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

MOTION CARRIED.
SEE "EXHIBIT X"

15/J

Mr. Lozano informed the Commissioners that this next item was on a change order number one, for TCDP contract no. 702035. The change order was brought about due to the proposed oversizing of a water line, from eight inches to twelve inches. He added that presently the department was asking for some direction, as to the collection of the final change order. Mr. Raul Eddie Garcia, the Engineer, for the project came before the Court and explained that when this project was first initiated, it had consisted of the extension of water service from Abram Road, to the Expressway 83 intersection. He added that originally the project had been bid with an eight inch and a twelve inch alternate and in the design his office had received plans that indicated that a twelve inch line had been installed at the Abram intersection. He continued by saying that they designed the project, as per those plans with negotiations with the Water Supply indicating that the oversize was to be installed as the twelve inch; however when construction was commenced and the intersection was uncovered it was discovered that there was no tee and that the line was an eight inch. This required some field adjustments, which were reflected in the change order and he wanted to stress that these plans, as well as the oversizing, had been approved by the Water Supply Corporation. Commissioner Arcaute asked if the total amount of the change order was \$1,205.64 and the response was that it was. Mr. Lozano responded that there were no monies in the project to pay for this expense and there was an interlocal agreement, with La Joya Water Supply. Commissioner Rosel then stated that Mr. Leo Montalvo was in the audience and he would like to hear what he had to say. Mr. Montalvo then stated that there was hardly an negotiations and that the County never asked what size line existed on the premises. He continued by saying that the County had requested an eight inch line and the Water Supply Corporation had requested a twelve inch line, due to a pending FHA loan grant, that should be closed sometime this month and the school district had also requested some additional fire protection. He stated that they had suggested to the County that they go with a twelve inch line. He continued by saying that they had told Anthony Covacevich, the Urban County Director, that there was no point in installing a twelve inch pipe, "because none of that pipe exists in our system, save and except, those areas within corporate limits" and that he had recommended that they do a twelve inch line with the money allocated in their budget, but the County had refused and decided to go with a twelve inch pipe. In his argument he stated that the Water Supply Corporation was never asked what size pipe had been installed at the intersection and had never con-

(02/13/95)

tacted their engineer. Commissioner Sanchez then clarified that the communication, between the entities. Steve Crain, the County Legal Counsel, noted that as per the contract, which was signed by both the County and the Water Supply Corporation, states that "La Joya Water Supply corporation agrees to pay for all costs associated with the oversizing of the line from eight inches to twelve inches, PVC pipe water line and including engineering and impertinences related to the oversize of the PVC pipe water line"; and he also indicates that as per a letter in the pack, dated December 29, 1994, from Mr. Covacevich to the Water Supply Corporation, he refers to the agreement in his demand for payment of the change order. Mr. Montalvo responded to Mr. Crain's statements by saying that they were not denying the interlocal agreement, but that it was not carte blanc, with the main issue being the coordination of the project. Commissioner Sanchez then asked him that as per the agreement, didn't Mr. Montalvo feel that it was justified that the Urban County Program was that the justification should be in requesting for partial payment. After the discussion, Commissioner Rosel voiced his opinion, by saying that he did not think that any of the three entities, involved in this project should pay for this change order, as he felt that it was an error made Lucrecio Flores, Director, for the La Joya Water Supply Corporation indicated that the bill was no problem, and that they would pay for the bill, but his concern was that he felt that the engineer did not do a proper job. Mr. Garcia tried to respond to the allegations, but Commissioner Arcaute stated that the only issue here was that the bill get paid and Commissioner Sanchez added that it had already been established that the Water Supply Corporation would pay the bill and this Court "will note the admonishment".

NO ACTION.

SEE "EXHIBIT X"

15/K

Raul Lozano informed the Court that this next item was a request from the City of McAllen, for the County to designate a certain area, as a reinvestment zone. The area in question is described as all of Lot 1 Southwest Industrial District Unit 6, in McAllen. He then introduced Mr. Mike Allen, from the McAllen Economic Development Corporation, who indicated that Orchid International would be requesting tax abatement, from the County. This company would be involved in the production of "precision metal stamped components and die cast parts" and it will entail the construction of a 100,000 square foot facility on a ten acre tract. When completed it will employ from forty to fifty local residents, "with plans to grow to 150-200" jobs. After the presentation Mr. Lozano indicated that at this time the request was for the designation of the area as a reinvestment zone, which is the first step in the request for tax abatement. Leo Montalvo came to the podium and commented on previous tax abatement orders, as approved by the County and indicated that on one particular request, 90% of the property had already been sold, thus relinquishing the tax abatement status of the property. He felt that Orchid International would help the economy, and he was asking for approval of the request. Commissioner Sanchez then asked where this area was located and Mr. Allen explained where the site was, as well as,

adding that they were also requesting that the Foreign Trade Zone Commission designate this area as a foreign trade zone area, in order to try to lure other industries to the area. The fact that the request at this time was for the designation of a reinvestment zone, was reiterated by Steve Crain. There being no further questions and/or comments, the public hearing was closed.

NO ACTION.
SEE "EXHIBIT X"

15/L

A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to approve the order designating Lot 1 Southwest Industrial District Unit 6, in the area of McAllen, Texas, as a reinvestment zone.

MOTION CARRIED.
SEE "EXHIBIT X"

15/M

A motion was made by Commissioner Garces and seconded by Commissioner Rosel, to approve the 1991 Urban County bill #8396 in the amount of \$3,837.00; the 1993 Urban County bill #8397 in the amount of \$940.00; the 1994 Urban County bills #8398 thru #8400 in the total amount of \$28,064.58; the 1993 Emergency Shelter Grant bill #8401 in the amount of \$740.16; the Colonia III Program bill #8402 in the amount of \$19,620.00; the CASA Program bills #8403 and #8404 totaling \$516.04; the 1992 HOME Program bills #8405 thru #8410 totaling \$22,002.50; and the 1993 HOME Program bills #8411 thru 8413 totaling \$7,868.68. The total Urban County memorandum to be approved is \$83,588.96.

MOTION CARRIED.
SEE "EXHIBIT X"

Commissioner Arcaute had some questions on the tax abatement process, during which Steve Crain and Commissioner Sanchez informed him just because the area was designated as a reinvestment zone, it did not mean that the tax abatement would be granted. He added that the comment was made that "one would probably come as the result of the other, but not automatically".

Commissioner Sanchez then asked on the status of the insurance for Delta Lake Park, as his crew was not being allowed on the premises to clean and maintain the area.

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

(02/13/95)

MOTION CARRIED.

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

ITEM 1. PERMIT - North Alamo Water Supply

A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to approve a request for permit by North Alamo Water Supply Corporation, for a six inch PVC water line, to cross Valverde and Skinner Road.

MOTION CARRIED.
SEE "EXHIBIT Y"

ITEM 2. AUTHORIZATION & APPROVAL TO DECLARE EMERGENCY TO PAY BILL AND EXEMPT FROM BIDDING PROCESS

Vona Walker, Right-of-Way Director, came before the Court requesting authorizatio and approval to pay a bill, under an emergency status. This was for repairs done on a Le Bare excavator, in the amount of \$17,388.89. Commissioners Rosel and Garces expressed a concern in that they felt that Joaquin Cerda, the Drainage District Foreman, should be present, to make this request. Steve Crain asked what the declaration of emergency was and Ms. Walker explained that it was an emergency because this machine was presently being used to dig the extension for the Linda Vista ditch. A motion was made by Commissioner Rosel and seconded by Commissioner Garces, to declare the emergency and authorize payment of the bill.

MOTION CARRIED.
SEE "EXHIBIT Z"

ITEM 3. AUTHORIZATION & APPROVAL TO REAPPROPRIATE & CARRY OVER FORWARD BALANCE OF \$144,932.00 - Purchase Order #078069 - McAllen Construction Co. - Rancho Santa Cruz & Linda Vista Projects

Vona Walker informed the Commissioners that this amount was set aside in the 1994 budget and this balance had not been paid and before the purchase order was cancelled she was wanting to carry forward this amount from the 1994 into the 1995 budget. A motion was made by Commissioner Rosel and seconded by Commissioners Garces and Sanchez, to reappropriate the carry over balance of \$144,932.00, for the Rancho Santa Cruz and Linda Vista Projects.

MOTION CARRIED.
SEE "EXHIBIT AA"

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

Guadalupe "Lupe" Garces _____
County Commissioner, Precinct #4

Dated this 13TH day of FEBRUARY, 1995.

ATTEST:

JOSE ELOY PULIDO, County Clerk
Hidalgo County, Texas

By: JC
Jennifer Castillo, Deputy

