

Jerry



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, MARCH 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 - February 21, 1995
3. Approval of Court Reporters Fees:
 - A. Shirley A. Ralston - \$ 7,105.00
 - B. Ben Petty - \$ 123.00
 - C. Alma A. Garza - \$ 360.00
4. Approval of Monthly Fee Reports:
 - A. Justice of the Peace:
 - 1. Ruben Ramos - \$ 5,046.78 - February
 - B. County Clerk Part I - \$ 93,140.75 - January
 - Part II - \$ 86,515.88 - January
5. Planning Department:
 - A. Subdivisions:
 - 1. El Presidente Subdivision - Pct. #2
 - 2. Puerta Del Sol Estates - Pct. #3
5. Permits:
 - A. North Alamo Water Supply - Pct. 1 & 4

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6. Internal line item transfers:
- A. Buildings/Grounds - 1995
 - B. Pct. #4 Administration - 1995
 - C. Pct. #2 Paved/Unpaved - 1995
 - D. Pct. #2 Park - 1995
 - E. J.P. Pct. #4 Pl. #1 - 1995
 - F. Hidalgo County Impact Court 1995
 - G. Computer Department - 1995
 - H. Indigent Health Care - 1995
 - I. Pct. #3 - Administration - 1995
 - J. Pct. #3 - Park - 1995
 - K. Enterprise Fund - 1995
 - L. WIC - 1995
 - M. County Clerk

Dated this the 08th day of March, 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, MARCH 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. Request for Audience:
 - A. Residents of Hoehn Drive Subdivision - Rosa Reyna
2. Approval of Resolution creating the Hidalgo County Solid Waste Management District
3. Adult Probation Department:
 - A. Request approval on Electronic Monitoring Contract with Strategic Technologies Inc.
 - B. Contract Amendment - Approval for Dr. Marin Garza - Boot Camp Medical Services
 - C. Contract Approval for Dr. Omar Garza - Boot Camp Medical Services
 - D. Approval of revised lease agreement for Restitution Center
 - E. Request to advertise for proposals to provide a Turnkey Electronic Imaging Solution (to be intergrated with Department's Management Information System)
4. WIC:
 - A. Request to advertise:
 1. Electronic Equipment
 2. Office and Breastfeeding Supplies
5. Sheriff's Department:
 - A. Approval of Budget Appropriation (Investigation Fund)
 1. Acct. # 5-104-421-100 - \$ 8,047.80
 - B. Authorization and approval to transfer from General Fund Miscellaneous Revenue Acct. into Acct. # 5-010-423-100.95 - Insurance Check in the amount of \$ 3,996.83
6. Financial Disruption Task Force:
 - A. Approval of Interlocal Governmental Agreement between Hidalgo County Financial Disruption Task Force and Texas Department of Public Safety
7. Solid Waste:
 - A. Appropriate Funds
8. Request to advertise for repairing of roofs on two (2) County Buildings

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9. Authorization to transfer 1994 (Revenue Sharing Fund) to 1995 and appropriate
10. Pct. #2:
 - A. Request to advertise:
 1. Pickup Truck - County Shop
 - B. Transfer funds from Road and Bridge to General Fund - 1995
11. Pct. #3:
 - A. Authorization to amend Enterprise Fund Budget
12. Purchasing Department:
 - A. Award Bid:
 1. Rental of Uniforms - Hidalgo County
13. Planning Department:
 - A. Final Plat Approval:
 1. Sioux Road Subdivision Phase II - Pct. #2
 - B. Preliminary Plat Approval:
 1. Colonia Guadalupe Subdivision - Pct. #2
14. Urban County:
 - A. Pct. #3 - Construction Contract - Change order #2 PFI - Street Improvements Year 6
 - B. City of Donna - PFI - Sewer Improvements Engineering Services Contract Melden & Hunt, Inc.
 - C. City of Palmview - Professional Services Contract (Engineering) for PFI Street Improvements Project Year 7
 - D. HOME - "First-Time Homebuyer Contract Agreements" and Letter of Commitment to Mortgage Company
 - E. Pct. #2 - Construction Contract - Change order #2 PFI - Street Improvements Year 6
 - F. Approval of bills
15. Office of Employment and Training:
 - A. Creation of two (2) new positions (Property Control Specialist and Grant Writer) and approval of qualifications and job descriptions for same
 - B. Set salaries for newly created Property Control Specialist and Grant Writer positions

(Continued)



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(Continuation - Office of Employment and Training)

C. Authorize the Executive Director to hire the following additional Staff:

1. Property Control Clerk (1)
2. Accounting Clerk (1)
3. Systems Programmer (1)
4. Intake Specialists (3)

D. Realignment of all Property Control Clerks and Building and Grounds Technicians positions under the general supervision of the newly created Property Control Specialist position

E. Realignment of Eligibility/Counselor Reviewer positions under the general supervision of the Division Support Manager

F. Authorize the Executive Director to eliminate six (06) staff positions as part of streamlining and increasing the efficiency of the agency

H. Eliminate the requirement for specific numbers of Case Manager I's, II's, and III's allowing the Executive Director to hire Case Managers in any combination not to exceed twenty-five (25) with a minimum of atleast three (3) Case Manager III's

16. 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. Litigation:

1. Sheriff's Department
2. Jail Overcrowding

17. Open Session:

A. Discussion and possible action on Litigation:

1. Sheriff's Department
2. Jail Overcrowding

Dated this the 08th day of March, 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, MARCH 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:

ADDENDUM

1. Community Service Agency:
 - A. Approval on CHCSA Building Lease Extension for an additional twelve (12) months
2. Authorization and approval to advertise for bids on rental space in the Mercedes Area for Health Clinic use

Dated this the 10th day of March, 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, MARCH 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. Authorization to purchase four (4) pickup trucks from Houston/Galveston Area Council and if not available authorization to advertise for the purchase of trucks

Dated this the 08th day of March, 1995

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

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BE IT REMEMBERED that on the 13TH day of MARCH, 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:

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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:

CONSENT AGENDA

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ITEM 1. APPROVAL OF BILLS - County Auditor

General Fund - #107595 - #107801 - \$259,623.96
Special Revenue Fund - #107746 - #107944 - \$236,283.50
Trust and Agency Fund - # 4617 - # 4619 - \$138,612.72
Enterprise Fund - # 2205 - # 2207 - \$ 1,050.00
(SEE "EXHIBIT A")

ITEM 2. APPROVAL OF MINUTES - February 21, 1995

ITEM 3. APPROVAL OF COURT REPORTERS FEES:

A. Shirley A. Ralston - \$7,105.00
B. Ben Petty - \$ 123.00
- \$ 42.00
C. Alma A. Garza - \$ 360.00

(SEE "EXHIBIT B")

ITEM 4. APPROVAL OF MONTHLY FEE REPORTS:

A. Justice of the Peace:
1. Ruben Ramos - \$ 5,046.78 - February
B. County Clerk Part I - \$93,140.75 - January
Part II - \$86,515.88 - January

(SEE "EXHIBIT C")

ITEM 5. PLANNING DEPARTMENT:

A. Subdivisions:
1. El Presidente Subdivision - Pct. #2
2. Puerta Del Sol Estates - Pct. #3

El Presidente Subdivision is located at the southeast corner of 12th Street and Standart Street, City of San Juan, Precinct Two.

(SEE "EXHIBIT D")

5/A/2

Puerta Del Sol Estates is located between North Ware Road and North 41st on Orchid Avenue, City of McAllen, Precinct Three.

(SEE "EXHIBIT D")

ITEM 6. PERMITS:

A. North Alamo Water Supply - Pcts. #1 & #4

In Precinct One, North Alamo Water Supply Corporation is requesting a permit for two inch water lines in Village Grove Subdivision and Palo Blanco Estates. In Precinct Four, they are requesting a permit for two inch water lines in Tierra Del Valle Subdivision, Rodriguez Subdivision and a line extension going west on Ramseyer, west of Tower Road for 890 feet.

(SEE "EXHIBIT E")

ITEM 7. INTERNAL LINE ITEM TRANSFERS:

- A. Buildings/Grounds - 1995 - \$160.00
- B. Pct. #4 Administration - 1995 - \$300.00
- C. Pct. #2 Paved/Unpaved - 1995 - \$300.00
- D. Pct. #2 Park - 1995 - \$300.00
- E. J.P. Pct. #4 Pl. #1 - 1995 - \$500.00
- F. Hidalgo County Impact Court - 1995 - \$300.00
- G. Computer Department - 1995 - \$2,000.00
- H. Indigent Health Care - 1995 - \$3,600,000.00
- I. Pct. #3 - Administration - 1995 - \$780.00
- J. Pct. #3 - Park - 1995 - \$2,000.00
- K. Enterprise Fund - 1995 - \$20,000.00
- L. WIC - 1995 - \$25,000.00
- M. County Clerk - \$1,000.00

(SEE "EXHIBIT F")

The County Judge asked 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 Garces and seconded by Commissioner Rosel, to approve the Consent Agenda, as presented.

MOTION CARRIED.

SEE "EXHIBITS A-F"

REGULAR AGENDA
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ITEM 1. REQUEST FOR AUDIENCE:

A. Residents of Hoehn Drive Subdivision - Rosa Reyna

Judge Ruiz asked if there was anyone representing the residents of Hoehn Drive Subdivision, at which time Rosa Reyna came up to the podium. She brought with her samples of water taken from the subdivision, as well as a copy of the County budget, community health books, soil survey of the area and water and a wetland act. She also mentioned that she did not have a degree of any kind, and she was in Commissioners' Court because "it breaks my heart to see these children" in the subdivision playing in the mud puddles, where the sewage from the septic tanks has overflowed. She indicated that she would be taking the floor with Mr. Eligio Hernandez and his family, who were the first people to purchase a lot within this subdivision. She continued her presentation by blantly addressing the County Judge, after which, he informed her that she was to address, not only this Court, but himself, accordingly or he would have her escorted out of the courtroom. Ms. Reyna tried to continue by voicing an expletive, and she was again made aware that she needed to watch her language. After a further exchange of words, the County Judge had her escorted out of the courtroom, by Chief Dick Dickinson. Judge Ruiz then addressed the remaining residents and asked them if any of them would like to discuss the issue at hand, during which Mr. Eligio Hernandez came up and indicated that they were here because of continuing problems with standing water, within the colonia, as well as the lack of drinking water. He mentioned that they were told to dig holes for the placement of septic tanks, but within a short time the tanks were filled to capacity, and it becomes even worse then it rains as the tanks overflow. Judge Ruiz asked him if the drainage system that was put in place, a while ago, was helping any and he mentioned that it was, but the land was supersaturated. Mr. Hernandez also stated that some of the landowners were offered a reimbursement for their property, from the developer, but some had decided to remain. The discussion continued, after which the County Judge informed him that this County has invested approximately \$300,000.00 to set up some sort of drainage system, since the last rainfall and it is his understanding that Commissioner Garces will commence his street improvement projects, within the subdivision, to construct at least one street a year, and he feels that there is something that can be done, through engineering, to decrease the level of water further, but he no longer feels that this is the County's responsibility. Commissioner Garces added that during the last rainfall, he had toured the subdivision, and he had witnessed for himself that the vehicles were immovable and he would keep in contact with the residents and he would be visiting them this weekend, in order to address the problem and keep the residents informed of any progress, if any, that he may have with State entities. Commissioner Arcaute then told Commissioner Garces, that if the water table was one foot, that the roads should not be paved, as it would be lost in less than a couple of years. Commissioner Arcaute added that the residents had been offered

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their money back, to move out of there and he felt that the developer and the people that bought there are already aware of the problem, yet they continue to remain there. The discussion continued with the problem of the water table, with comments from Commissioner Rosel who indicated that this Court would assist the residents, as much as they could. Commissioner Arcaute then asked Mr. Hernandez when he bought his lot and how much he paid for it, and the response was that he has been there for approximately ten years and he paid \$11,000.00 for the lot. Judge Ruiz again informed him that this Court would continue to try to take care of the drainage and the paving of the streets, but he wanted the residents to know that the present system would probably not be able to sustain another heavy rainstorm; it would drain the water faster, but there would still be some standing water. In terms of potable water, they would have to address this issue with the water supply corporation and he did not feel there was a solution to the septic tank problem. Commissioner Garces again assured him that as he received word, from the State entities, he would hold meetings with the residents and inform them of whatever progress he would be making. Mr. Hernandez also mentioned that the water from the companies around the subdivision were not helping any, as the excess rain water from their lands was also being drained into Hoehn Drive Subdivision and the County Judge explained to the Court that this was because of the equalizers that were put in by the State.

NO ACTION.

SEE "EXHIBIT G"

ITEM 2. APPROVAL OF RESOLUTION CREATING THE HIDALGO COUNTY SOLID WASTE MANAGEMENT DISTRICT

Judge Ruiz informed the Commissioners that this office has been working with Senator Carlos Truan, to establish some form of solid waste district, that would give some assistance in providing either a regional, countywide or sectional district. He stated that they have jointly drawn up a bill, which has been advertised in the paper, in accordance with State law and the resolution is now ready for passage, so that the process, for the bill, can continue through committee. He said that the Hidalgo County Solid Waste Management District was not a taxing unit; it was intended to run on fees and there were some that taxed, but this Court had dictated that they did not want taxation. Commissioner Sanchez asked him if this could go the route of Road Districts, whereby a tax could be imposed, through referendum, and the County Judge informed him that they could finance it, but they could not impose a tax to pay the debt, it would have to work only on fees. Commissioner Sanchez then said that if this district was run on fees only, it would not work and Judge Ruiz indicated that they had discussed this and they had agreed that they could establish a fee with the cooperation of the water supply corporations and this bill gave the authority, to the water supply corporation that if someone did not pay their garbage rate, that the water

supply corporation has the authority to cut the water off. Judge Ruiz did add however that it was his understanding, from this Commissioners' Court that wanted to go away from the taxation issue and the general powers and duties were listed on page eleven of the proposed bill. Commissioner Arcaute asked if it indicated that every household that had a water meter would be charged this fee and the County Judge replied that it did. Commissioner Arcaute informed the Commission that defining a region or an area would not work, because then people would be dumping garbage in an area that was not covered, and he proposed that this be made county-wide and Commissioner Sanchez concurred. Commissioner Sanchez also wanted a clause added that would allow, through referendum, whereby the voters would impose a tax for themselves for this service and Judge Ruiz stated that if they wanted to, then they could add this to the proposition. The issue of the area to be serviced by this proposed district was again addressed, with Commissioner Garces pointing out that this would have to be a county-wide district. After this the issue of the taxation, was brought up with Judge Ruiz referring to page twenty-seven of the proposal, whereby he stated, as per his interpretation, taxes could possibly be levied for bonds, but not for operations. After further discussion, Commissioner Rosel indicated that he would like for this item to be tabled, as he did not have time to read through the proposal and Judge Ruiz asked if they still had time, before it could be filed and the response was that it had to be filed today. Commissioner Rosel then brought up the issue of the collection of domestic trash, but it did not address the problem of construction, mattresses, tires and the like and he was informed that it did address this issue. Commissioner Sanchez pointed out that this item would have to be studied further, but he did not think that they had to put it off, as they could always come back and "fine tune" the proposal, but he felt that this was the first step, in getting this program moving. Commissioner Arcaute then asked if the enactment of this legislation would prohibit them from, coming in later on and going into a different system and the response was that it would not and that it did not really have to be implemented, it just put it "in the books". Commissioner Sanchez asked Judge Ruiz if the legislation was passed who would have the option of implementing this service and the reply, from the County Judge was that it would be up to this Commissioners' Court, as this Court would create the district. A motion was then made by Commissioner Garces and seconded by Commissioner Sanchez, for the approval of the resolution creating the Hidalgo County Solid Waste Management District.

MOTION CARRIED. (COMMISSIONER ROSEL VOTED AGAINST THE MOTION.)
SEE "EXHIBIT H"

Commissioner Arcaute pointed out that they could not adopt the resolution as it called for a unanimous vote. Judge Ruiz then stated that maybe they should not adopt this resolution, as he felt that they should not vote in favor, due to politics and Commissioner Sanchez asked that how should they address this problem, as it was getting bigger and bigger and they had to begin to do something about it. Judge Ruiz indicated that they know they have a problem and still they get negative votes and he felt that Commissioner Rosel would probably be the first in

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line to try to get some monies from it and he also might have the biggest problem in his area. The County Judge then asked him if he had another solution to this and Commissioner Arcaute asked him what his problem with this resolution was. Commissioner Rosel then pointed out that his concerns were that it did not create a taxing body and if it addressed the issues of the trash out on the roads; to this last concern the County Judge responded that it addressed it directly and indirectly and he added that not all people could be disciplined and this was not a government issue, but a "people" issue. Commissioner Arcaute pointed out that the proposal called for the establishment of a district and a while ago, it was stated that they did not have to create it, but all it did was set up the parameters for doing it. The concern brought up the Commissioner Arcaute was another concern had by Commissioner Rosel. Judge Ruiz then stated that the problem here was that the biggest problem in Precinct Three, was solid waste and here they were offering a possible solution to this problem and then the Commissioner from Precinct Three votes no and his question now was "what is the answer" to this problem. Commissioner Arcaute called for the question, as they have already voted on the issue, but Commissioner Rosel begged for some time and maybe he may change his vote. Commissioner Rosel then asked about the taxing authority and the answer to this was that the district would have not authority to impose taxes; so at this time the Commissioner would like for the record to reflect that he is changing his vote in favor of the motion.

ITEM 3. ADULT PROBATION DEPARTMENT:

- A. Request approval on Electronic Monitoring Contract with Strategic Technologies, Inc.
- B. Contract Amendment - Approval of Dr. Marin Garza - Boot Camp Medical Services
- C. Contract Approval for Dr. Omar Garza - Boot Camp Medical Services
- D. Approval of revised lease agreement for Restitution Center
- E. Request to advertise for proposals to provide a Turnkey Electronic Imaging Solution (to be integrated with Department' Management Information System)

3/A-D

Judge Ruiz informed the Commissioners that he had received a call from Joe Lopez, the Adult Probation Director, this morning indicating that he would not be able to attend the Commissioners' Court meeting due to an emergency. The County Judge said that he did not know what kind of emergency, but that no action would be needed in items A-D.

NO ACTION.

SEE "EXHIBIT I"

3/E

Mr. Stanley Gonzalez then approached the podium and ex-

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plained that item "E" was for authorization to advertise for proposals for a turnkey electronic imaging solution. He added that this would be to upgrade their current data managing system, which allowed them to take electronic photographs of defendants, as they came in and also take electronic photographs of all files that were closed, for data retrieval and storage. A motion was made by Commissioner Arcaute and seconded by Commissioner Garces, to authorize the advertisings for proposals, for electronic imaging system, for the Adult Probation Department, bid opening April 5th, bid award April 10th.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 4. WIC:

A. Request to Advertise:

1. Electronic Equipment
2. Office and Breastfeeding Supplies

4/A/1

Norma Longoria, WIC Director, came before the Court requesting authorization to advertise for electronic equipment, basically slide projectors, a TV and a VCR for training purposes. A motion was made by Commissioner Sanchez and seconded by Commissioner Garces, to authorize the advertising for bids for the purchase of electronic equipment; bid opening April 5th, bid award April 10th.

MOTION CARRIED.
SEE "EXHIBIT J"

4/A/2

Ms. Longoria was also making a request for office supplies and breastfeeding promotional items. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize the advertising for bids for office supplies and breastfeeding supplies for this particular department, under WIC; bid opening April 5th, bid award April 10th.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 5. SHERIFF'S DEPARTMENT:

A. Approval of Budget Appropriation (Investigation Fund)

1. Acct. #5-104-421-100 - \$8,047.80

B. Authorization and approval to transfer from General Fund Miscellaneous Revenue Acct. into Acct. #5-010-423-100.95

- Insurance check in the amount of \$3,996.83

(03/13/95)

5/A

Chief Dick Dickinson came before the Court and reported that they had a request for a budget appropriation of \$8,047.80, into the Sheriff's Department Investigation Fund. He added that this was a share of a \$25,000.00 seizure made by the Sheriff's Department. A motion was made by Commissioner Garces and seconded by Commissioner Sanchez, to authorize a budget appropriation of \$8,47.80, to the investigation fund.

MOTION CARRIED.
SEE "EXHIBIT K"

5/B

Chief Dickinson also had a request for the transfer of an insurance check, in the amount of \$3,996.83, from the General Fund's Miscellaneous Revenue Account, into the Jail account, for machinery and equipment. He added that this was an insurance check for damages done by an inmate, in the administrative section of the jail. A motion was made by Commissioner Garces and seconded by Commissioner Sanchez, to authorize a transfer of funds, from the General Fund's Miscellaneous Account, into an account of the Sheriff's Department, item #95, in the amount of \$3,996.83; this is a refund from insurance.

MOTION CARRIED.
SEE "EXHIBIT K"

The County Judge then mentioned that they had an Executive Session, with regards to the Sheriff's Department and he would like to have consensus to go into Executive Session at this time and the Commissioners concurred.

ITEM 16. 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. Litigation:
 - a. Sheriff's Department
 - b. Jail Overcrowding

The County Judge and Commissioners went into Executive Session accompanied by Sheriff Henry Escalon, Chief Dick Dickinson and Steve Crain, the County Legal Counsel.

MOTION CARRIED.

ITEM 17. OPEN SESSION:

(03/13/95)

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- A. Discussion and possible action on litigation
 - 1. Sheriff's Department
 - 2. Jail Overcrowding

Judge Ruiz called the meeting back into open session and said that there was no action to be recommended, under Executive Session.

NO ACTION.

ITEM 6. FINANCIAL DISRUPTION TASK FORCE:

- A. Approval of Interlocal Governmental Agreement between Hidalgo County Financial Disruption Task Force and Texas Department of Public Safety

A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to approve the interlocal government agreement between the Hidalgo County Financial Disruption Task Force and the Texas Department of Public Safety for the use of one Toshiba television.

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 7. SOLID WASTE:

- A. Appropriate Funds

Judge Ruiz stated that this was the amount necessary to continue the program, through March, and the amount was \$12,310.00. A motion was made by Commissioner Rosel and seconded by Commissioner Garces, to appropriate \$12,310.00, in accordance with attachments, for the Solid Waste Enforcement Program Grant.

MOTION CARRIED.
SEE "EXHIBIT M"

The County Judge then indicated that he was still waiting for some calls from the Commissioners, in order to decide what was to happen to this program. Steve Austin, the County Auditor, then asked when this Court had approved the matching monies for the month of March and Vona Walker, informed him that a budget amendment had been done in February, and there was still enough money there to cover for March.

ITEM 8. REQUEST TO ADVERTISE FOR REPAIRING OF ROOFS ON TWO (2) COUNTY BUILDINGS

(03/13/95)

Judge Ruiz informed the Commissioners that this was for the repair of one roof only, this being the roof at the County Health Administration Building. Commissioner Sanchez asked if this was the roof for which they had hired an architect and the County Judge replied that it was, but they did not have any specificactions or a contract from the architect. Judge Ruiz continued by saying that he has chosen, as an alternative, was to spray polyurethane foam. He felt that they could maybe get a ten year warranty on this and it could be done immediately. Commissioner Rosel asked what kind of cost were they looking at and the reply was that it would be approximately \$50,000.00, with no architectural fees. The County Judge added that they will probably come back for a budget amendment for the payment of this service, but he feels that it is the quickest and most economical way of repairing it. A motion to authorize the advertising for bids for the repairing of the roof of the Health Department Administration Building, specifications have been prepared by Ms. Mary Maldonado; bid opening March 29th, bid award April 4th.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 9. AUTHORIZATION TO TRANSFER 1994 (REVENUE SHARING FUND) TO 1995 AND APPROPRIATE

A motion was made by Commissioner Arcaute and seconded by Commissioner Garces, to authorize the transfer of \$6,022.90, in revenue sharing, for 1995, and appropriating it into Object 12.

MOTION CARRIED.
SEE "EXHIBIT O"

- ITEM 10. PCT. #2:
- A. Request to advertise:
 - 1. Pickup Truck - County Shop
 - B. Transfer funds from Road and Bridge to General Fund - 1995

10/A

Judge Ruiz asked if there was a reason why this item was being advertised instead of being acquired from the State bid and Vona Walker indicated that the Drainage District has been trying to purchase one for some time and they have not been successful in getting a price. Mary Maldonado, the Purchasing Agent, recommended that they advertise and Commissioner Arcaute asked if they could have the option to purchase either from the bids received or the State bid, whichever was lowest and the County Judge replied that they could, but that it was up to the Purchasing Agent to go with the lowest bid. A motion was

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made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize the advertising for bids for the purchase of a pickup truck, for the County Shop; April 5th to open, April 10th to award.

MOTION CARRIED.
SEE "EXHIBIT P"

10/B

Commissioner Arcaute informed the Court that this was for the ambulance service for the City of San Juan and it was for an amount of \$18,000.00, to come out of the 1995 budget. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize the transfer of \$18,000.00, from 1995 Road & Bridge, to the General Fund, to Aid to Other Governments.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 11. PCT. #3:

A. Authorization to amend Enterprise Fund Budget

Judge Ruiz pointed out that this was for a bill that was submitted by Commissioner Rosel and the Commissioner stated that this was in reference to the landfill at Precinct Three and he was informed that there were no monies available. He was then directed to place it on the agenda, for a budget amendment, but he did indicate that this piece of equipment was used at the landfill. Judge Ruiz mentioned that this equipment fell under the Road & Bridge fund and the Commissioner said that any time any of their equipment has been utilized at the landfill they have charged any costs to the Enterprise Fund. Commissioner Sanchez then stated that this Court has charged for the salary of employees, when they send waste to either Republic Waste or BFI, but they have never charged for the repairs of equipment. Commissioner Rosel continued his plea by saying that in last year's budget, they had had some monies in Landfill Precinct Three account to pay for this, but for this year it had been zeroed out. A motion was then made by Commissioner Rosel and seconded by Commissioner Garces, for a budget amendment of \$3,877.81 and this was followed by a discussion. Commissioner Arcaute argued that he was under the impression that the Enterprise Fund only covered for the operation of the landfill located in Precinct Four and Commissioner Sanchez indicated that it did, as far as repairs, but that there was one employee that is under the Enterprise Fund. Commissioner Arcaute continued his discussion by saying that there were not fees being generated by the operation in Precinct Three, so therefore it did not qualify for payment from the Enterprise Fund. Commissioner Sanchez pointed out that he repaired his equipment that was used at the landfill through his Road and Bridge Fund, because he uses this equipment on the roads, as well, and Commissioner Rosel indicated that this piece of equipment was used only at the landfill, as it was assigned to the land-

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fill and Commissioner Sanchez stated that it was assigned by him. The County Judge then called for the vote, during which Commissioners Rosel and Garces voted in favor of the motion and Commissioners Arcaute and Sanchez voted against the motion. Judge Ruiz then stated that he was caught between "a rock and an hard place", because he felt that this system was necessary out there, even though he knew that this piece of equipment was purchased through Road & Bridge and it had been repaired before, through Road & Bridge and he was afraid that if the bill was not paid that they may just pull the equipment out. Commissioner Sanchez then asked Commissioner Rosel if he had any money to repair the equipment or if he just wanted it paid out of this account and Commissioner Rosel replied that he wanted it paid out of this account because it was assigned to this particular project. The County Auditor pointed out that there were three invoices totaling \$4,008.06 and this was the amount that was needed to pay the repair bills, and also the amendment would have to stated that they authorize the transfer this amount from the General Fund to the Enterprise Fund and the County Judge indicated that this would be the motion. After further discussion, the County Judge voted in favor of the motion and Commissioner Rosel indicated that even if the County Judge had voted against the motion, he would not pull the equipment out.

MOTION CARRIED. (COMMISSIONERS ROSEL AND GARCES VOTED IN FAVOR OF THE
SEE "EXHIBIT Q" MOTION; COMMISSIONERS ARCAUTE AND SANCHEZ VOTED A-
GAINST THE MOTION; JUDGE RUIZ CAST DECIDING VOTE AND
VOTED IN FAVOR THE MOTION.)

ITEM 12. PURCHASING DEPARTMENT:

A. Award Bid:

1. Rental of Uniforms - Hidalgo County

Mary Maldonado, the County Purchasing Agent, informed the Commissioners' Court that she had received two bids for the rental of uniforms. The bids received were from Queen City Apparel Master, for \$4.40 per employee and from Unifirst for \$4.60 per employee. Her recommendation was for Queen City Apparel Master, being the low bid. Commissioner Arcaute informed the County Judge that this item had previously been taken under advisement and he had talked to the Purchasing Agent, with regards to this bid and he felt that Unifirst was the best bid. Ms. Maldonado informed him that Queen City would not be charging an installation fee, for any existing employees, but they would charge it after thirty days, for any new employees. The Commissioner then stated that they would have to go with what was submitted and not with any changes that come after that and he would not want to be caught in anything like that. County Judge then asked if the fee for the emblem was a one time charge and Ms. Maldonado replied that it was and Judge Ruiz still felt that the bid from Queen City was the better bid. A discussion then ensued with regards to the issue of new employees, with Commissioner Sanchez giving the explanation, by stating that new employees referred to

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any employees hired after thirty days of the bid award. Judge Ruiz then raised the issue of the three period, for this contract and he wanted to know if they could award a contract for this amount of time and he asked the Purchasing Agent if she had bid out for this amount of time and she replied that she did. Judge Ruiz asked if they would have a cancellation clause on the contract and Commissioner Arcaute indicated that they better make sure. The County Judge stated that this Commissioners' Court will accept the low bid, with the understanding that there be a cancellation clause and Mr. Crain pointed out that he may be changing the bid term, after the fact. Commissioner Arcaute asked Ms. Maldonado if the contract with Unifirst was also for a three year period and the response was that it was. Judge Ruiz continued the discussion by saying that if they draw up a contract that has a cancellation and they accept it, they are still low bid and they are not changing the bid itself and the County Legal Counsel stated that the low bidder can always come back and say that it was bid out for a three year period. Judge Ruiz then made a recommendation of accepting low bid, in accordance with the Purchasing Agent, with the stipulation that there be at least a sixty-day cancellation clause, this being optional to County government and not to the employee. Commissioner Arcaute then asked if they could continue to make the expenditure with Unifirst, the present bid, until the new uniforms come in, as long as they don't go over the \$10,000.00, without the acquisition of quotes, and the response was that they could. A motion was then made by Commissioner Sanchez and seconded by Commissioner Rosel, to authorize the low bid, to Queen City Apparel Master, with the stipulation that there be a sixty day cancellation clause to this three-year contract.

MOTION CARRIED.
SEE "EXHIBIT R"

ITEM 13. PLANNING DEPARTMENT:

- A. Final Plat Approval:
 - 1. Sioux Road Subdivision Phase II - Pct. #2
- B. Preliminary Plat Approval:
 - 1. Colonia Guadalupe Subdivision - Pct. #2

13/A

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to give final approval to the plat of Sioux Road Subdivision Phase II, which is located approximately 447 feet east of Border Road, on the north side of Sioux Road, in the rural area of the County, in Precinct Two.

MOTION CARRIED.
SEE "EXHIBIT S"

13/B

A motion was made by Commissioner Arcaute and seconded

by Commissioners Sanchez and Garces, to give preliminary approval to the plat of Colonia Guadalupe Subdivision, which is located approximately 580 feet south of Nebraska, on the west side of Border Road, in the rural area of the County, in Precinct Two. Preliminary approval is subject to the following conditions:

- 1) street sign(s) and traffic control device(s) shall be installed in accordance to the County specifications;
- 2) testing of all street(s) shall be done and the testing results shall be approved by Melden & Hunt, Inc.; and
- 3) needs the final letter from North Alamo Water Supply Corporation stating that the water lines have been installed and meet their requirements.

MOTION CARRIED.
SEE "EXHIBIT S"

ITEM 14. URBAN COUNTY:

- A. Pct. #3 - Construction Contract - Change order #2 PFI - Street Improvements Year 6
- B. City of Donna - PFI - Sewer Improvements Engineering Services Contract Melden & Hunt, Inc.
- C. City of Palmview - Professional Services contract (Engineering) for PFI Street Improvements Project Year 7
- D. HOME - "First-Time Homebuyer" Contract Agreements and Letter of Commitment to Mortgage Company
- E. Pct. #2 - Construction Contract - Change order #2 PFI - Street Improvements Year 6
- F. Approval of bills

14/A

Raul Lozano came before the Court and reported that Precinct Three was requesting approval of a change order under their Year 6 Street Improvement Program. The change order will increase the contract amount with Mission Paving Company, by \$9,765.00 and it will allow them to include Glasscock Road, from Mile 6 to Mile 7. A motion was made by Commissioner Rosel and seconded by Commissioner Garces, to approve a change order, increasing the contract with Mission Paving, by \$9,765.62.

MOTION CARRIED.
SEE "EXHIBIT T"

14/B

The City of Donna was asking permission to go into an engineering services contract, for sewer improvements, with Melden & Hunt, for \$10,000.00. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve a professional contract

between the County of Hidalgo, the City of Donna and Melden & Hunt, Inc., for engineering services; contract amount \$10,000.00.

MOTION CARRIED.
SEE "EXHIBIT T"

14/C

The City of Palmview was requesting approval of an engineering contract for their street improvement project, with Noe Garza Engineers, Inc., at an amount of \$4,000.00. A motion was made by Commissioner Rosel and seconded by Commissioner Garces, to approve a professional service contract with Noe Garza, the City of Palmview and the County of Hidalgo.

MOTION CARRIED.
SEE "EXHIBIT T"

14/D

Under the HOME "First-time Homebuyer" program they had the following ten families requesting contract agreements:

David Jimenez
Jose Pena
Evert Garcia
Rafael Garcia
Alfredo Perez, Jr.
Ernesto Flores
Maribel Osorio
Rodolfo Garza, Jr.
Ricardo de Hoyos
Pablo Tamez

All were asking for letters of commitment form Rural Economic & Community Development, formerly Farmers Home Administration. A motion was made by Commissioner Garces and seconded by Commissioner Arcaute, to approve the "First-time Homebuyers" and awarding letters of commitment to Rural Economic & Community Development.

MOTION CARRIED.
SEE "EXHIBIT T"

14/E

Precinct Two was requesting approval of change order number two, on their contract with Mission Paving Company. The change order was an increase of \$25,588.36 and it will include Tower Road from the south City boundary to Business 83, as per an arrangement by Commissioner Arcaute and Mayor Marcelina Medina, from the City of Alamo. The County Judge then asked what their portion was and Mr. Lozano indicated that the City of Alamo would be paying for the amount of the change order. A motion was then made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve a change order in the amount of \$25,588.36 to the contract with Mission Paving Company.

MOTION CARRIED.

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SEE "EXHIBIT T"

14/F

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve the 1991 Urban County Program bill #8574 in the amount of \$2,053.05; the 1992 Urban County bill #8575 in the amount of \$250.00; the 1993 Urban County bills #8576 thru #8580 totaling \$38,869.00; the 1994 Urban County bills #8581 thru #8588 totaling \$43,809.15; the Colonia III Program bill #8589 of \$42,032.70; the 1992 HOME Program bills #8590 thru #8595 totaling \$13,050.35; the 1993 HOME Program bills #8596 thru #8598 totaling \$6,813.28; the 1994 HOME Program bills #8599 and #8600 totaling \$10,000.00 and the CASA Program bill #8601 in the amount of \$813.40. The total Urban County memorandum to be approved is \$157,690.93.

MOTION CARRIED.
SEE "EXHIBIT T"

ITEM 15. OFFICE OF EMPLOYMENT AND TRAINING:

- A. Creation of two (2) new positions (Property Control Specialist and Grant Writer) and approval of qualifications and job descriptions for same
- B. Set salaries for newly created Property Control Specialist and Grant Writer positions
- C. Authorize the Executive Director to hire the following additional staff:
 1. Property Control clerk (1)
 2. Accounting clerk (1)
 3. Systems Programmer (1)
 4. Intake Specialists (3)
- D. Realignment of all Property Control Clerks and Building and Grounds Technicians positions under the general supervision of the newly created Property Control Specialist position
- E. Realignment of Eligibility/Counselor Reviewer positions under the general supervision of the Division Support Manager
- F. Authorize the Executive Director to eliminate six (6) staff positions as part of streamlining and increasing the efficiency of the agency
- G. Eliminate the requirement for specific number of Case Manager I's, II's and III's allowing the Executive Director to hire Case Managers in any combination not to exceed twenty-five (25) with a minimum of at least three (3) Case Manager III's

15/A, B&C

J.D. Salinas, OET's Executive Director, came before the Court requesting authorization to create two new positions; these being a Property Control Specialist and a Grant Writer. He mentioned that the

Property Control Specialist would be assigned the task of making sure where every item is, for the Agency, and in turn be more accountable of where equipment and items are located, as TDOC has asked the Agency to try to improve on the inventory of the existing equipment. This person would also be responsible of keeping a record management system, within the agency, to include microfilming and microfiche, in order to try to reduce the storage space needed.

He is also asking for a Grant Writer, as some of their monies will be cut and he is wanting this position as he believes that there are monies out there that they could apply for, to assist in their programs. He feels that this is a much needed position and it is a proactive move, as he believes the investment will be seen in the number of grants coming back into the agency. Judge Ruiz then asked him if he had administrative monies for these positions and Mr. Salinas replied that he did, plus he would also request, later on in the agenda, to do away with some vacant slots, that they don't need. Commissioner Arcaute asked if this would affect the structure of the department, as far as, the organizational chart and Mr. Salinas replied that it did. The County Judge asked about the salaries and the response was that the proposed salary for the Property Control Specialist is \$19,464.00 and the salary for the Grant Writer would be \$20,772.00. Judge Ruiz then brought up four other items that were listed and Mr. Salinas replied that he was additionally requesting one Property Control clerk, at an annual salary of \$14,256.00; one Accounting clerk, at an annual salary of \$12,684.00; one Assistant Programmer, at \$20,772.00 and and three Intake Specialists at \$11,292.00 each, and he did have the administrative monies to pay for these positions. The County Judge then informed the Commissioners that he did recommend these positions and salaries, as he felt that they were needed. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to create a Property Control Specialist, a Grant Writer, a Property Control Clerk, an Accounting Clerk, a Systems Programmer and three Intake Specialists, salaries to be set accordingly, \$19,464.00, \$20,772.00, \$14,684.00, \$12,634.00, \$20,772.00 and \$11,292.00, respectively.

MOTION CARRIED.
SEE "EXHIBIT U"

15/D

Mr. Salinas then stated that with these new positions he would like for a realignment of the organizational structure, in keeping with the current county government system. He is asking for the realignment of the Property Control Clerks and Building and Grounds Technicians, to be directly under the Deputy Director and not to fall under the Fiscal Manager. He then went on to elaborate the need for the change. A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to amend the organizational chart, by moving the Property Control Clerks and Buildings and Grounds Technicians positions under the supervision of the newly created Property Control Specialist.

MOTION CARRIED.

(03/13/95)

SEE "EXHIBIT U"

15/E

Mr. Salinas continued by saying that this next item was for the realignment of eligibility reviewers, who were presently under the Division Operations Manager and he would like to place them under Information Systems Coordinator. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to amend the organizational chart, realigning Eligibility Reviewers positions, under the general supervision of the Divisions Support Manager.

MOTION CARRIED.
SEE "EXHIBIT U"

Judge Ruiz commented that the concern of this Commissioners' Court was that he not displace people and Mr. Salinas pointed out that they haven't and they don't intend to.

15/F

Mr. Salinas then stated that under this next item, he was doing away with six vacant positions, in order to streamline the efficiency of the agency. He stated that these were vacant positions and they entailed one Inter Agency Liaison, whose job was already being duplicated by the Marketing/Public Relations Department; two Recruitment Officers, which were duplications of the five Job Developers, who were presently in the Agency; and three Eligibility/Counselor Reviewers, of which there were presently nine slots, and he believed that six were more than enough. Mr. Salinas again stressed that these slots were vacant and their functions were being done by existing employees. A motion was made by Commissioner Sanchez and seconded by Commissioners Arcaute and Rosel, to eliminate three Eligibility/Counselor Reviewer positions, one Inter Agency Liaison and two Recruitment Officers, as presented.

MOTION CARRIED.
SEE "EXHIBIT U"

15/G

Mr. Salinas said that under this last item, as per the organizational structure there are supposed to be ten Case Managers I's, ten Case Managers II's and five Case Manager III positions, but in reality they only have one Case Manager III, one Case Manager II and fourteen Case Manager I's. His request would be to allow them to eliminate the requirement of having so many Case Managers, in each category and allow him to hire the cumulative of twenty-five Case Managers, but he would want to allow for at least three Case Managers III's. This last request is because he would, later on, want the Case Manager III's to be supervisors of the Case Managers II's and I's. Mr. Salinas indicated that the functions of the Case Managers was the same, whether they be I, II or III, with the only difference being in the requirement of the degree and experience. A discussion ensued with regards to the difference in category, with respect to the Case Managers and budgetary implica-

tions that this could have. Commissioner Arcaute then asked, when referring to a degree, what this meant and Mr. Salinas replied that this was for a degree in the Social Sciences or a related field. A motion was then made by Commissioner Sanchez and seconded by Commissioner Arcaute, to eliminate the requirement that a specific of Case Managers I, II and III be employed and rather give it to the Director's discretion, that they can hire an accumulative of twenty-five Case Managers, be-it I, II or III.

MOTION CARRIED.
SEE "EXHIBIT U"

ADD. 1. COMMUNITY SERVICE AGENCY:

- A. Approval on CHCSA Building Lease Extension for an additional twelve (12) months

Judge Ruiz indicated that the County has had an ongoing lease with Edinburg Rentals, at a rate of \$3,960.00 per year and the lease ends March 31st. They are asking for an additional twelve months on the lease with no changes to the agreement. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to authorize a twelve month extension of the lease between the County of Hidalgo, through its Community Service Agency, and Edinburg Rentals, in the amount of \$3,960.00 annually, to run from April 1st through March 31st, 1996.

MOTION CARRIED.
SEE "EXHIBIT V"

ADD. 2. Authorization and approval to advertise for bids on rental space in the Mercedes Area for Health Clinic use

Judge Ruiz said that this was one of the oldest clinics that the County had, situated within the Housing Authority and it was too small for the staff that was presently there and not in very good condition. He felt that it was totally ineffective and inadequate, as it reflected on staff, being totally uncomfortable with the working conditions. He was hoping that there may be some rental spaces out in the area that they could consider and Commissioner Sanchez pointed out that the local neighborhood health center, in Mercedes, was building a new facility and he was going to explore the possibility of maybe piggy-backing something with them and he would get back to this Court. A motion was made by Commissioner Sanchez and seconded by Commissioners Rosel and Arcaute, to authorize and approve the advertising for bids for rental space in the Mercedes area, for the housing of a health clinic, in that particular area; bid opening April 5th, bid award April 10th.

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MOTION CARRIED.

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

MOTION CARRIED.

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

ITEM 1. AUTHORIZATION TO PURCHASE FOUR (4) PICKUP TRUCKS FROM HOUSTON/GALVESTON AREA COUNCIL AND IF NOT AVAILABLE, AUTHORIZATION TO ADVERTISE FOR THE PURCHASE OF TRUCKS

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to authorize the purchase of four pickups, as presented.

MOTION CARRIED.

There being no further business to come before the Drainage District, a motion was made by Commissioner Arcaute and seconded by Commissioners Sanchez, 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

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

Dated this 13TH day of MARCH, 1995.

ATTEST:

JOSE ELOY PULIDO, County Clerk
Hidalgo County, Texas

By: JC _____
Jennifer Castillo Deputy

