

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 10TH day of APRIL, 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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APRIL 10, 1995

The Honorable J. Edgar Ruiz, County Judge, called this Commissioner's 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 - #108485 - #108721 - \$257,773.10
 SPECIAL REVENUE - #108694 - #108859 - \$180,201.62
 DEBT SERVICE - #972 - #973 - \$11.96
 CAPITAL PROJECTS - #4717 - #4718 - \$164.36
 TRUST AND AGENCY - #4641 - #4672 - \$515,394.05
 ENTERPRISE - #2240 - #2244 - \$341.36
 (SEE EXHIBIT A)

ITEM 2. APPROVAL OF ATTORNEY'S FEES - \$80,919.65
 (SEE EXHIBIT B)

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:
 A. ANZALDUA'S PARK - \$9,280.00 - MARCH
 B. JUSTICE OF THE PEACE:
 1. RENE O. TORRES - \$18,853.17 - FEBRAURY
 (SEE EXHIBIT C)

ITEM 4. APPROVAL OF COURT REPORTER FEES:
 A. SHIRLEY RALSTON - \$117.00
 (SEE EXHIBIT D)

ITEM 5. PLANNING DEPARTMENT:
 A. BUSINESS PARK PLAZA PHASE I - PCT. #3
 (SEE EXHIBIT E)

ITEM 6. PERMITS:
 A. NORTH ALAMO WATER SUPPLY - PCT. #1 & #4

6A.

NORTH ALAMO WATER SUPPLY IS REQUESTING A PERMIT FOR A 4" LINE BEGINNING AT FM 493 AND MILE 15 NORTH, GOING EAST ON MILE 15 NORTH FOR 1,320 FEET, AND A 2" LINE IN LA BLANCA HEIGHTS. THIS BEING IN PCT. #1.

THEY ARE ALSO REQUESTING A PERMIT FOR A 2" LINE ALONG PINKSTON ROAD EAST OF DOOLITTLE FOR APPROXIMATELY 1,085'.
 (SEE EXHIBIT F)

ITEM 7. INTERNAL LINE ITEM TRANSFERS:

- A. COUNTY COURT AT LAW #1 - \$ 110.00
- B. COUNTY EXTENSION SERVICE - \$1,400.00
- C. ADULT PROBATION (STATE FUNDS) - \$ 125.00
- D. BUILDINGS AND GROUNDS - \$1,500.00
- E. FINANCIAL DISRUPT. TASK FORCE GRANT - \$3,500.00
- F. SHERIFF DEPARTMENT - \$6,500.00
- G. ADULT DETENTION CENTER - \$3,000.00
- H. JUVENILE PROB. DEPART. (GEN. FUND) - \$1,000.00
- I. JUVENILE PROB. DEPART. (STATE FUND) - \$5,520.29

(SEE EXHIBIT G)

Judge Ruiz opened this Commissioner's Court meeting by asking if there were any questions/comments regarding the consent agenda. After brief comments, Commissioner Sanchez made a motion, which was seconded by Commissioner Arcaute to approve the consent agenda as presented.

MOTION CARRIED
(SEE EXHIBITS A-G)

Before moving on to the Regular Agenda, Judge Ruiz made a few brief comments. He stated that the Court House will be closed Friday. He also stated that there would be an election commission meeting in Commissioner's Court at 1:30 p.m. that same afternoon. There is to be an Empowerment Zone Subcommittee meeting at 6:30 p.m. at La Villa City Hall. The workshop with the Board of Judges this afternoon had been cancelled. He also stated that there is a meeting Wednesday April 12th at 7:00 at the Fairway Resort in the Continental Ballroom. The Department of Transportation is calling this meeting in reference to setting up their workplan in terms of pavement of a few roads. He encourages Commissioners to attend this meeting.

REGULAR AGENDA
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ITEM 1. Discussion & possible action for assistance - Mission Volunteer Fire Department - Jon Patterson

Judge Ruiz opened the first topic for discussion by asking for Mr. Jon Patterson who was not present at this current time. He stated that he would call them back later in the meeting.

NO ACTION
(SEE EXHIBIT H)

ITEM 2. Discussion & possible action - Facilities for the 13th Court of Appeals - Hidalgo County Bar Association

Judge Ruiz opened this topic by asking The President of the Hidalgo County Bar Association, Maureen Ball, to introduce some of the people present in the courtroom. She is asking for assistance to build a local facility. Bob Seerden, Chief Justice of the Hidalgo County 13th

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Court of Appeals. After some discussion, Judge Seerden felt that their current facilities were inadequate. He also felt that a new facility here in Hidalgo would benefit the people and the County. Judge Ruiz stated that the delay was due to finances. The renovation of the fifth floor was estimated to be at about four to five hundred thousand dollars. He also stated the Commissioner's Court did not see fit to finance just that project, rather finance several different projects for the purpose of saving money for the County. Commissioner Rosel agreed with Judge Ruiz on this topic. Commissioner Sanchez stated that the Renovation of the fifth floor will be included in this package. Ms. Ball took the podium and emphasized the fact of how much this facility would benefit the valley. Then, Gary Henrichson came up and briefed on a few issues. He stated that as the handout showed, this facility would save the County money due to the fact that right now it costs money to send County employees to Corpus Christie to argue cases, which it would not have to do anymore. Judge Ruiz stated that the Commissioner's Court had taken action at this time but is just waiting on a presentation from engineers and underwriters to come up with the best alternative to build everything that is needed at this time. Judge Ruiz stated that he would keep Ms. Ball informed on the progress of this issue. No further action at this time.

NO ACTION
(SEE EXHIBIT I)

- ITEM 3. TAX ASSESSOR/COLLECTOR
A. Tax Refund:
1. Marciano Martinez - \$573.30

A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel to approve a tax refund in the amount of \$573.30 to Marciano Martinez as presented.

MOTION CARRIED
(SEE EXHIBIT J)

Judge Ruiz skipped ITEM 4 for the time being and will come back to this item at a later time. He chose to move on to ITEM 5.

- ITEM 5. AUTHORIZATION TO ADVERTISE FOR STATEMENT OF QUALIFICATIONS - ADULT DETENTION FACILITY AND OTHER PUBLIC FACILITIES:
- A. Financial Advisor
 - B. Bond Counsel
 - C. Underwriter
 - D. Architect
 - E. Construction Management
 - F. Project Management

5A1

Judge Ruiz opened this topic by stating that it had been advertised in the paper this past Sunday to get different aspects in need for any facilities Commissioner's Court may decide to do in the future. The particular positions he is looking for are listed above in items A-F. These are some of the things he felt could be used in some

type of conventional system of design. Judge Ruiz feels it is important that resumes start being gathered as soon as possible. A motion was then made by Commissioner Sanchez and seconded by Commissioner Garces to authorize the advertisement for Statments of Qualifications for Adult Detention Facility and other public facilities either new or renovated.

MOTION CARRIED
(NO EXHIBIT AVAILABLE)

ITEM 6. SHERIFF DEPARTMENT:

- A. Declare vehicles surplus:
- B. Authorization to appropriate \$240.00 to Acct. #5-010-421-100.46 paid by the City of Weslaco for Academy Tuition

6A1

Dick Dickinson opened up this topic by stating there were six or seven vehicles that had been seized under Section 59 forfeiture and wanted them declared surplus vehicles due to their uniqueness. They want to obtain different vehicles that can be used for investigative purposes. A motion was made at this time by Commissioner Arcaute and seconded by Commissioner Garces to authorize declaration of surplus and the authorization to use as trade-ins.

MOTION CARRIED
(SEE EXHIBIT K)

6B1

Mr. Dickinson is requesting that \$240.00 be appropriated and be put back in the budget for training. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez to appropriate the \$240.00 contributed by the City of Weslaco Academy Tuition.

MOTION CARRIED
(SEE EXHIBIT K)

ITEM 7. DISCUSSION AND ACTION ON POLICY AND PAYMENT ON CEMETARY PLOTS FOR INDIGENTS

Judge Ruiz opened this topic by stating that he recently been brought a list of unpaid funeral bills by Mrs. Cano. He asked why they haven't been paid and how can it be resolved. Mr. DelaVina stated at this time the total expenditure was approximately \$7,000 and \$2,750 had not been paid. Judge Ruiz asked why they had not been paid and Mrs. Cano stated the Auditor's Office was responsible for the delay of payment. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel to establish a policy that Indigent Health Care Program have the authority to by plots for indigents at a cost no more than \$250 from the County and all persons must go through the application process.

MOTION CARRIED
(SEE EXHIBIT L)

ITEM 8. HEALTH DEPARTMENT:

- A. Approval of Renewal Contract for Family Planning Services

(04/10/95)

- B. Approval of Budget Amendment - Bureau of Women and Children Attachment 08B in the amount of \$50,000.00.

8A

Ofelia Espinoza opened this topic by stating that one Jesus Ramos is a licensed Physician in Mexico that works in our clinics here in Texas under Omar Garza. After a few brief comments, Judge Ruiz stated that this issue should be tabled for later and more detailed discussion.

NO ACTION
(SEE EXHIBIT M)

8B

Mrs. Espinoza opened this topic by stating that this amendment is for the amount of \$50,000 for the COPC for architectural services of the new development site. At this time, a motion was made by Commissioner Arcaute and seconded by Commissioner Garces to approve budget amendment of \$50,000 to the Bureau of Women and Children attachment 08B.

MOTION CARRIED
(SEE EXHIBIT M)

- ITEM 9. TEXAS DEPARTMENT OF TRANSPORTATION:
A. Approval of Bridge Load Posting Agreement

Vona Walker opened this topic by stating that every two years the Texas Department of Transportation does what they call their Off System Bridge Survey. She stated that they had found approximately fifteen bridges in the County that need to be load posted. The Texas Department of Transportation will provide the signs and the posts and it will be the County's responsibility for placing them. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute to approve.

MOTION CARRIED
(SEE EXHIBIT N)

- ITEM 10. PCT. #1
A. Authorization to enter into a joint venture project with Colonia La Mesa

Commissioner Sanchez opened this topic by stating that an agreement had been reached with the people of Colonia La Mesa by which they made contributions to the County to offset the cost of drainage. They provided the money for pipes. He stated that he had in his possession money orders totaling \$3,634.50. Commissioner Sanchez moved that the court accept the contribution to offset this fund. He also had a list of the individuals who made contributions and their amount. This motion was seconded by Commissioner Arcaute to authorize a joint venture project with residents of Colonia La Mesa and Commissioner Pct. #1 County of Hidalgo for drainage improvements. The motion includes the acceptance of the particular contribution. Another motion was made to transfer these funds to the road and bridge account so that this project may move forward by Commissioner Sanchez and seconded by Commissioner

Arcaute.

MOTION CARRIED
(SEE EXHIBIT O)

ITEM 11. PCT. #3:

- A. Resolution authorizing a 4-way stop intersection - Two Mile Line & Los Ebanos Rd.
- B. Authorization to set speed limit at 30 m.p.h. - Western Rd.

11A

Commissioner Rosel opened this topic by stating that he had received several calls from residents requesting this be turned into a 4-way stop due to several accidents. A motion was made by Commissioner Rosel to make Two Mile Line and Los Ebanos Rd. from the 2-way stop running North and South be converted to a 4-way stop. The motion was seconded by Commissioner Garces to authorize a resolution establishing a 4-way stop sign at the intersection of Two Mile Line and Los Ebanos Rd. in Pct. #3.

MOTION CARRIED
(SEE EXHIBIT P)

11B

Commissioner Rosel stated that it was requested by the citizens to reduce the speed limit due to extensive traffic and the frequency of use by many different people. Commissioner Rosel made a motion to reduce the speed limit to 30 m.p.h. on Western Rd. and Expressway 83 running north to the deadend. The motion was seconded by Commissioner Garces.

MOTION CARRIED
(SEE EXHIBIT P)

ITEM 12. YOUTH VILLAGE:

- A. Authorization to reject bids for van and pickup
- B. Authorization to accept second low bid and/or declare emergency to purchase

12A&B

Amado Martinez is requesting the bids for a van and a pickup be rejected. After some discussion and advice from legal counsel, a motion was made by Commissioner Arcaute and seconded by Commissioner Rosel to rescind our action awarding bid to Tipotex out of Brownsville and authorize the award to the second lowest bidder, that being Bert Ogden out of Edinburg.

MOTION CARRIED
(NO EXHIBIT)

Judge Ruiz then moved on to the issue of the pickup. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel to rescind the action taken by Commissioner's Court reference to

the purchase of the pickup for the Youth Village and authorize the rejection of all bids in this particular issue.

MOTION CARRIED
(SEE EXHIBIT)

A motion was made to authorize the advertisement for bids for the purchase of a 1995 pickup truck by Commissioner Arcaute and seconded by Commissioner Rosel. Bid opening to be April 26, 1995 and award to be May 2, 1995.

MOTION CARRIED
(NO EXHIBIT AVAILABLE)

ITEM 13. PURCHASING DEPARTMENT:

A. Award bid:

1. Office Supplies - WIC
2. Breast Feeding Supplies - WIC
3. Electronic Supplies - WIC
4. Rental of Space - Health Department
5. Repair of Roofing - Health Department
6. Pickup Truck - Pct. #2
7. Electronic Imaging Solution - Adult Probation
8. Accounting System Hardware and Software - Adult Detention

B. Request to Advertise:

1. Food Trays for inmate use - Adult Detention

13A 1-4

Mary Maldonado stated that she wanted to take the first four bids under advisement. A motion was made at this time by Commissioner Sanchez and seconded by Commissioner Garces to take 13A 1,2,3,4 on the agenda under advisement.

MOTION CARRIED
(SEE EXHIBIT Q)

13A5

Ms. Maldonado stated that the specs called for workmans comp. on the successful bidder. She stated the Mr. Crane said that they needed to have workmans comp. but she stated that they did not. After a few more comments, she mentioned that United Urethane Inc. was the low bidder at \$26,895. After further discussion, A motion to authorize the low bid of United Urethane Inc. at a cost of \$26,895 (contract should be drawn up by legal counsel to show warranties of labor and material and because it's under \$50,000, there should not be any drawdown and payment shall be at the end of construction after inspection). Commissioner Garces so moved and was seconded by Commissioner Rosel.

MOTION CARRIED
(SEE EXHIBIT Q)

13A6

Vona Walker opened by stating that there were two bidders for a half ton pickup. Roberts Chevrolet at \$13,695 and Ramirez Ford

Sales at \$12,962.60, Boggus Ford also bid at \$13,376.35 and Crosstown Ford at \$14,987.50. Commissioner Arcaute stated that this was for the County Shop. Commissioner Arcaute made a motion and was seconded by Commissioner Sanchez to award bid to the low bidder, Ramirez Ford Sales for the purchase of one truck at a cost of \$12,962.60. Bidder does meet all specifications.

MOTION CARRIED
(SEE EXHIBIT Q)

13A7

After some comments and questions, Joe Lopez stated that they had two bid. One was from Renette Co. out of Edinburg, and the other was Comgraphic Inc. out of San Antonio. He stated that Comgraphic did not meet all needs. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute to award bid to the Renette Co., low bidder who meets all specifications for Adult Probation.

MOTION CARRIED
(SEE EXHIBIT Q)

13A8

Vona walker stated that there were two bidders but the low bidder did not meet all specifications and she recommends the Cole Cashregister Co. be awarded the bid. They bid \$14,270 plus \$1,690 for the extended warranty for a total of \$15,965. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez to award bid to the bidder that met all specs for the County of Hidalgo Adult Detention Accounting System Hardware and Software.

MOTION CARRIED
(SEE EXHIBIT Q)

13B

After a few comments a motion was made was made by Commissioner Rosel and seconded by Commissioner Arcaute to authorize the advertisement for bid for the purchase of food trays for the inmates at the Adult Detention. Bid opening April 26, 1995 and bid award May 2, 1995.

MOTION CARRIED
(SEE EXHIBIT Q)

ITEM 14. PLANNING DEPARTMENT:

- A. Subdivisions:
 - 1. JPC Subdivision - Pct. #4
- B. Preliminary Plat Approval:
 - 1. Las Palmas Del Norte Subdivision - Pct. #3
- C. Final Plat Approval:
 - 1. Cambridge Gardens Subdivision - Pct. #4

14A1

Emilio Garcia opened by stating that this subdivision was approved by the city of McAllen. Commissioner Garces made a motion

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and was seconded by Commissioner Rosel to approve JPC subdivision as presented.

MOTION CARRIED
(SEE EXHIBIT R)

14B1

Mr. Garcia stated that this one should be going in as a final plat approval because a letter of credit had been submitted. The amount of the letter of credit is \$59,812.80 and \$1,172.80 was paid to the Planning Department and \$9,057.60 for culvert pipes. At this time Commissioner Rosel made a motion and was seconded by Commissioner Garces to give final plat approval to Las Palmas Del Norte Subdivision in Pct. #3 as presented.

MOTION CARRIED
(SEE EXHIBIT R)

14C1

Mr. Garcia opened by stating that on August 8, 1994, the court gave preliminary approval for the above subdivision. All requirements have been met since then and is recommending the approval and recording of this plat. Commissioner Garces made a motion and was seconded by Commissioner Rosel to give final plat approval to Cambridge Gardens Subdivision as presented.

MOTION CARRIED
(SEE EXHIBIT R)

ITEM 15. URBAN COUNTY:

- A. La Joya - Acquisition of Real Property PFI Parks and Recreation Facility
- B. HOME - "First Time Homebuyer Contract Agreements" and Letter of Commitment to Mortgage Company
- C. City of Hidalgo - Change order #1 Water Improvements
- D. City of Mercedes - Amigos Del Valle Inc. Subrecipient Agreement
- E. Home Rental Rehabilitation Contract
- F. Approval of Bills

15A

Mr. Covacevich stated that La Joya is asking permission to enter into contract with Aguirre and Paterson to appraise some additional land for Parks and Recreation Facility. The amount is \$1,500 and the total available is \$65,000. Commissioner Rosel made a motion and was seconded by Commissioner Sanchez.

MOTION CARRIED
(SEE EXHIBIT S)

authorize letter of commitment to four mortgage companies.

MOTION CARRIED
(SEE EXHIBIT S)

15C

City of Hidalgo is asking permission to amend the contract with McCrea Water Tower. The \$9,000 will bring the contract from \$59,860 to \$68,860. They will pay for the change of order. They wish to add a ten inch riser that will have to be replaced. Commissioner Arcaute made a motion and was seconded by Commissioner Sanchez to approve change of order increasing contract with McCrea Water Tower by \$9,000.

MOTION CARRIED
(SEE EXHIBIT S)

15D

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute to approve a subrecipient agreement between the County of Hidalgo and the City of Mercedes and Amigos Del Valle. The contract is for \$10,000.

MOTION CARRIED
(SEE EXHIBIT S)

15E

Agustin and Modesto Hernandez are asking to enter into agreement for the home rental rehab program. Commissioner Sanchez made a motion and was seconded by Commissioner Arcaute to approve home rental rehab contract with Augustin and Modesto Hernandez for two projects in Elsa.

MOTION CARRIED
(SEE EXHIBIT S)

15F

Mr. Covacevich recited all the bills that are currently pending as shown in the exhibit. The total of the bills is \$312,991.88. Commissioner Arcaute made a motion and was seconded by Commissioner Sanchez to approve all bills as presented.

MOTION CARRIED
(SEE EXHIBIT S)

Judge Ruiz went back to previous items at this time. No one had shown up on behalf of the Mission Fire Department. He then moved on to item 4.

ITEM 4. JUVENILE PROBATION DEPARTMENT:

A. AUTHORIZATION FOR THE SUBMISSION OF THE DEPARTMENT'S CRIMINAL JUSTICE DIVISION GRANT YEAR 1996

4A

Buddy Silva came forward and was requesting a grant in the amount of \$42,493. There was no match required. A motion was made at this time by Commissioner Garces and seconded by Commissioner Arcaute to

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approve the alternative grant as presented in the amount of \$43,493.

MOTION CARRIED
(SEE EXHIBIT T)

ITEM 16. EXECUTIVE SESSION:

A. Commissioner's Court may go into Executive Session pursuant to Chapter 551, Texas Government Code, Section 551.072 to discuss the following matter:

1. Discussion and possible action on Resolution authorizing the resale of land

At this time Commissioner's Court went into executive session.

ITEM 17. OPEN SESSION:

1. Discussion and possible action on Resolution authorizing resale of land

Judge Ruiz called the meeting back to open session. The session was in reference to land being held in trust by the Irrigation district. The legal description is approximately 5.6 acres of lot 10 block 43 of Texan Garden Subdivision in Mission. At this time Commissioner Rosel made a motion and was seconded by Commissioner Arcaute to approve resolution as presented for the resale of land. (The bidding was to start at \$300 per acre.)

MOTION CARRIED

There being no further business to come before this Commissioner's Court, A motion was made by Commissioner Rosel and seconded by Commissioner Garces to adjourn.

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. DECLARE EQUIPMENT SURPLUS:

1. Secretarial Chair - Asset #20107

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

MOTION CARRIED
(SEE EXHIBIT U)

ITEM 2. AWARD BID:

1. Four pickup trucks

Vona Walker stated the they wanted to reject all bids and re-advertise. After some brief comments, Commissioner Rosel made a motion and was seconded by Commissioner Garces to authorize the rejection of all bids submitted for the purchase of four pickup trucks for Drainage District and authorize the readvertisement for bids. Bid opening to be April 26, 1995 and bid award being May 2, 1995.

MOTION CARRIED
(SEE EXHIBIT V)

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute to adjourn.

MOTION CARRIED

There being no further business to come before the Drainage District Board, the meeting is adjourned at this time.

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 4TH day of AUGUST, 1995.

ATTEST:

JOSE ELOY PULIDO, County Clerk
Hidalgo County, Texas



By: Aaron Betancourt
AARON BETANCOURT, Deputy