

Lenny

**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, JUNE 12, 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being discussed separately unless requested by a Commissioner, in which event the item or items will immediately be withdrawn for individual consideration in its normal sequence after the items not requiring separate discussion have been acted upon.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 minutes - March 28, 1995
- 2. Approval of bills
- 3. Approval of Court Appointed Attorney's Fees - \$ 62,227.09
- 4. Approval of Court Reporters Fees:
  - A. Hennigh-Quin-Ramirez and Associates, Ltd - \$ 878.00
  - B. Shirley Ralston - \$ 1,430.00
- 5. Approval of Fee Reports:
  - A. Anzalduas Park - \$ 9,728.00 - May
  - B. Justice of the Peace:
    - 1. Ruben Ramos - \$ 10,256.91 - May
    - 2. Esperidion Jackson - \$ 4,174.50 - May
- 6. Internal Line Item Transfers:
  - A. Health Department (Administration)
  - B. Health Department (Sanitation)
  - C. Health Department (Mobile Clinic)
  - D. Veterans Service
  - E. District Clerk
  - F. Enterprise Fund → No Action
- 7. Planning Department:
  - A. Subdivisions:
    - 1. Las Villas Del Rio Phase II-A - Pct. #2
    - 2. River Oaks Estates - Pct. #3
    - 3. Simtola Subdivision - Pct. #3
    - 4. The Gardens Subdivision - Pct. #4
    - 5. Sol Brilla Subdivision Phase 2 - Pct. #2

Pos/6a

Dated this the 07th day of June, 1995

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1. Request by Mr. Harry L. Addis to change Ceasar Chavez Road name *Co/Acc (Rejected)*
2. Review of Audit by State Comptroller on Court Costs *Pos/Co-Acc*
3. Consideration and possible action for Contractual Agreement with Michael J. Blum Company for Review and Update of our Subdivision Regulations *Pos/Co*
4. Adult Detention Facility:
  - A. Accept letter of Engagement for Underwriters and Exempt them from the Bidding Procedures *Pos/Co/Acc against*
  - B. Authorization to reject all proposals for Construction Manager *Sen/Acc*
  - C. Authorization to advertise for proposals for Construction Monitor *Sen/Co/Acc against*
5. Authorization to extend existing Ambulance Service Contract for Ninety (90) days *Pos/Co* *(\$25,000) (In your Fee)* *Sen/Pos*
6. District Attorney:
  - A. Budget Amendment and Appropriation - Hot Check Division *Co/S* *(86,000)*
7. Adult Detention Department:
  - A. Approval of Change Order #4 - Boot Camp Construction Project
  - B. Budget Amendment (State Funds)
8. Consideration and approval of submittal of Grant for Hidalgo County Solid Waste Enforcement Program - Yr. '95 - '96 *No Action*
9. 1995 Narcotics Task Force Grant:
  - A. Sheriff's Department:
    1. Acceptance of Department Grant Budget in the amount of \$ 236,859.00 effective June 01, 1995 and appropriate budget
    2. Set salaries
    3. Approval of Interlocal Agreement with the City of McAllen
  - B. District Attorney:
    1. Acceptance of Department Grant Budget in the amount of \$ 78,723.00 effective June 01, 1995 and appropriate budget
    2. Set salaries
    3. Approval of Interlocal Agreement with the City of McAllen

# RUIZ

J. EDGAR RUIZ  
HIDALGO COUNTY JUDGE

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June 12, 1995

10. Sheriff's Department:
  - A. Authorization and approval to appropriate unbudgeted funds for the Sheriff's Investigation Fund # 102 year 1995
  - B. Declare office equipment and furniture surplus
11. Pct. #1:
  - A. Authorization and approval to appropriate contribution in the amount of \$ 10,000.00 - Victoria Road *San/Ger*
12. Planning Department:
  - A. Preliminary Plat Approval:
    1. Cave Subdivision - Pct. #4 *Ger/Kas*
    2. Los Cerritos Subdivision Unit #3 - Pct. #4 *Ger/Kas*
  - B. Plat Approval and Variance Request:
    1. Rodriguez Acres - Pct. #4 *Ger/Kas (Judge Agent)*
13. Purchasing Department:
  - A. Request to Advertise:
    1. Medical Supplies - Health Department *Ger/Arc*
    2. Medical Equipment - Health Department *Kas/Ker*
    3. Proposal for Ambulance Service *Kas/Ger*
  - B. Award Bids: *San/Ger/Ker/Arc*
    1. Accept and award bid on renovation of County Adult Detention Facility (TB Unit) and amend budget *(Sweezy Construction) (#11, SLO, #)*
  - C. Request for Proposals:
    1. Legal Services for Mentally Ill or Mentally Retarded Indigent Persons Accused of Crimes *Ger/Kas*
14. Urban County:
  - A. Approval of Resolution designating an alternate to the MPO Policy Committee *San/Arc*
  - B. Authorization to submit Fair Housing Initiatives Application in the amount of \$ 100,000.00 and adoption of Resolution *No Action*
  - C. City of La Villa - HOME - Housing Rehabilitation Program - Construction Contract Award *San/Ger*
  - D. City of Alamo - Professional Services Contract (Engineering) Yr. 7 (B-94-UC-48-0501) PFI - Sewer Improvements *Arc/Ger*
  - E. Pct. #1 - Interlocal Agreement with the City of Weslaco PFI Street Improvements *San/Ger*
  - F. Pct. #2 Years 7 Contract Award Street Improvements Project *Arc/San*
  - G. Approval of Bills *San/Ger*
15. Office of Employment and Training:
  - A. Consider and approve Final Contract Awards for PY '95 Title IIB *(Approach June 15, 1995) Ger/Kas*
  - B. TDOC Corrective Measures Progress Report *No Action*

# R U I Z

J. EDGAR RUIZ  
HIDALGO COUNTY JUDGE

Agenda  
Page 03  
June 12, 1995

16. **Executive Session:** *No Action*  
Commissioners' Court may go into Executive Session Pursuant to Chapter 551, Texas Government Code, Section 551.071 to discuss the following matter:  
(Litigation)
- A. Discussion and possible action on:
1. Compensatory Time - Steve Crain
  2. City of Hidalgo Health Clinic - Anthony Covacevich
17. **Open Session:**
- A. Discussion and possible action on:
1. - Compensatory Time - Steve Crain *No Action*
  2. City of Hidalgo Health Clinic - Anthony Covacevich *Pre/No*

*Adjourn (Pos/Pre)*

Dated this the 07th day of June, 1995

# RUIZ

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HIDALGO COUNTY JUDGE

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## DRAINAGE DISTRICT

1. Acceptance of the Construction on the Rancho Santa Cruz Project and Authorization of Payment to Contractor *Sec/Pos*

*Adjourn (Pos/Amc)*

Dated this the 07th day of June, 1995.

J. EDGAR RUIZ  
HIDALGO COUNTY JUDGE

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HIDALGO COUNTY JUDGEAgenda  
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  - E. Pct. #1 - Interlocal Agreement with the City of Weslaco PFI - Street Improvements
  - F. Pct. #2 Years 7 Contract Award Street Improvements Project
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  - A. Consider and approve Final Contract Awards for PY '95 Title IIB
  - B. TDOC Corrective Measures Progress Report

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Dated this the 07th day of June, 1995

THE STATE OF TEXAS :  
COUNTY OF HIDALGO :

VOL 0204 PAGE 291

BE IT REMEMBERED that on the 12TH day of JUNE, 1995, after due notice having been given, there was begun and holden, a SPECIAL MEETING of the Commissioners' Court and the Drainage District, in the Commissioners' Courtroom of the Administration Building in the City of Edinburg, Hidalgo County, Texas with the following members of said Court present and participating:

Hon. J. Edgar Ruiz  
County Judge

Hon. Samuel Sanchez  
County Commissioner, Precinct #1

Hon. Lalo Arcaute  
County Commissioner, Precinct #2

Hon. Juan Rosel  
County Commissioner, Precinct #3

Hon. Guadalupe "Lupe" Garces  
County Commissioner, Precinct #4

WHEREUPON, the following proceedings

were had, to-wit:

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CONSENT AGENDA  
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- ITEM 1. APPROVAL OF MINUTES - MARCH 28, 1995
- ITEM 2. APPROVAL OF BILLS
- ITEM 3. APPROVAL OF COURT APPOINTED ATTORNEY'S FEES - \$62,227.09  
(SEE EXHIBIT A)
- ITEM 4. APPROVAL OF COURT REPORTERS FEES:
  - A. HENNIGH-QUIN-RAMIREZ AND ASSOCIATES, LTD - \$ 878.00
  - B. SHRILEY RALSTON \$1,430.00(SEE EXHIBIT B)
- ITEM 5. APPROVAL OF FEE REPORTS:
  - A. ANZALDUAS PARK - \$9,728.00 - MAY
  - B. JUSTICE OF THE PEACE:
    - 1. Ruben Ramos - \$10,256.91 - MAY
    - 2. Esperidion Jackson - \$4,174.50 - MAY(SEE EXHIBIT C)
- ITEM 6. INTERNAL LINE ITEM TRANSFERS:
  - A. HEALTH DEPARTMENT (ADMINISTRATION)
  - B. HEALTH DEPARTMENT (SANITATION)
  - C. HEALTH DEPARTMENT (MOBILE CLINIC)
  - D. VETERANS SERVICE
  - E. DISTRICT CLERK
  - F. ENTERPRISE FUND(SEE EXHIBIT D)
- ITEM 7. PLANNING DEPARTMENT:
  - A. SUBDIVISIONS:
    - 1. LAS VILLAS DEL RIO PHASE II-A - PCT. #2
    - 2. RIVER OAKS ESTATES - PCT. #3
    - 3. SIMTOLA SUBDIVISION - PCT. #3
    - 4. THE GARDENS SUBDIVISION - PCT. 4
    - 5. SOL BRILLA SUBDIVISION PHASE 2 - PCT. #2(SEE EXHIBIT E)

Judge Ruiz opened this Commissioner's Court meeting by stating that there was a request for no action on item 6F. After some comments on the court appointed attorney's fee by Commissioner Rosel, in which he stated that he feels there should be a cap on those fees, a motion was made by Commissioner Rosel which was seconded by Commissioner Garces to approve the Consent Agenda with the amendment of no action on 6F Enterprise Fund.

MOTION CARRIED  
(SEE EXHIBITS A-E)

REGULAR AGENDA  
=====

- ITEM 1. REQUEST BY MR. HARRY L. ADDIS TO CHANGE CEASAR CHAVEZ ROAD NAME (VERBATIM FORMAT)

JUDGE RUIZ

We now go into our regular agenda. Our first order of business is a request by Mr. Harry L. Addis, who has a request, ah for Commissioner's Court to change the name of Ceasar Chavez Road, which was just recently changed from Morningside. So I'll leave Mr. Addis to say a few words.

HARRY ADDIS

Thank you Judge. Gentlemen...

COMM. ROSEL

Go ahead.

HARRY ADDIS

I have, I have here, ah, let me do, give a few introductory remarks. I've been a property owner on Morningside Road since 1967; built a home there in 1978, have lived there ever since. since moving into this home in 1978, this will be my fifth change of address of which I have had no control. However, in this instance, I feel that property owners, residents, along Morningside Road should have been and should be surveyed as to their wishes on the name of the road. Morningside Road has been there since the County was laid out and I see no reason for change. Now, let me make one thing perfectly clear to the members here and the people in the Court. This request has absolutely nothing to do with Mr. Chavez; it has nothing to do with honoring or dishonoring his memory, let him rest in peace. He has done remarkable things for the farmworkers, migrants and hard-time people; this is not against Mr. Chavez nor the Farmworkers Union. I want everybody to understand this. The main purpose of my being here and the other people that live on Morningside Road is protestation of the change of name without notification or request as to their desires. I have here a resolution that I have proposed and would like to propose to the Court. I have copies here, if that's alright, I will give the clerk one and one for each Commissioner and the Judge.

COMM. ROSEL

Thank you.

HARRY ADDIS

Gentlemen, as you can see by this request and the proposal I am not without some education, but I am rather confused by the sequence of events by which this has occurred; and the first indication I had of it was when I was driving up Troster Road to go home and I saw the sign that says Ceasar Chavez Road and for almost thirty years that I have owned property there, that road was Morningside Road. I started to investigate and the first thing I found was the legal record here of a memo from Honorable Judge to the Commissioner's Court dated the 15th of November, in which I quote "In honor of a man who championed the cause for farm workers", well to which I have no objection, "We would like to Rename Morningside Road to Ceasar Chavez". I question who "we" are, is "we" the Commissioner's Court, if "we" the Commissioner's Court had a request, why would a memo to the Commissioner's Court be required; if the

"we" is other than the Commissioner's Court as a group that had the request, who is the other person of "we". We know that one is the Honorable Judge Ruiz. Following that there was a resolution on the 22nd of November, "whereas Ceasar Chavez was known throughout the United States etc..therefore be it resolved that the County of Hidalgo renames Morningside Road to Ceasar Chavez Road" this document is recorded and is dated November 22nd. I now refer you to the minutes of the meeting of the Commissioner's Court on the 22nd of November, 1994...

COMM. ARCAUTE

Who is this guy?

HARRY ADDIS

"Judge Ruiz informed the Court that he had a request and recommendation by the United Farmworkers of America and AFL-CIO through the efforts of Juanita Valdez-Cox, for the possible naming of the road", not Morningside Road, "a road in honor of Ceasar Chavez". Again I'll say, I have had no objection, I have no objection to that. Going down in here, the request at this time is for the renaming of Morningside Road. If we had, if Mrs. Cox asked for the naming of a road, who chose Morningside Road? I continue on, this is being recommended by whom, by the Court, by the Judge, by the Farmworkers Union. There is no record of that. It is being recommended since the Farmworkers Union Hall is on East Highway 83 of the City of San Juan, not Morningside Road; therefore, a group of we residents, property owners, have decided to ask for this resolution and with the Court's permission, I'll read it so everyone in the Courtroom can know what it is.

JUDGE RUIZ

We have a copy of it. (INAUDIBLE)

HARRY ADDIS

But the, but the Court here, the attendees do not have copies. I did not have enough to give them.

JUDGE RUIZ

I understand that, I think the request is..is..ah..is basically that this..ah..that the road be changed..the name of the road be changed. Is that the request?

HARRY ADDIS

The basic thing is when I made the application to appear before the Honorable Court. My application to Mrs. Etnire was to address the Court and the audience as to the impact, in conversation with the Judge. Last Monday morning in his Chambers, it was decided that I would not address any of the impact on the residents or property owners on Morningside Road, of which I have numerous. I will not address those items.

JUDGE RUIZ

Any name change on any road has impact too and we understand that Mr. Addis.

HARRY ADDIS

Yes, so the only thing that I'm looking for is that that be it resolved that the name of Morningside Road be restored and a survey of the residents and the property owners on Morningside Road, it does not affect

anyone else in the County involved with residency. Further I would like to recommend to this Court that if there are any road name changes being contemplated at this time, and for the near future, they be held in obedience until the the residents and property owners on those roads that may be under consideration, be withheld until they have been surveyed and their wishes known and let the majority prevail.

JUDGE RUIZ

Thank you Mr. Addis. Let me ah..respond to our, I, I guess, two of the, the, the main concerns that..that you have as far as the wording of the resolution that was passed by this, this Commissioner's Court in the issue of "we". Ahm..there was a..a..a request by several members of the United Farmworkers Union and them being residents of Hidalgo County and living along Morningside Road at the corner of Highway 83 and Morningside and their request was to name a road..ah..in honor of Cesar Chavez..ah..like many other parts of this country and Texas, their recognition of this individual not only because he was the leader of the Union, but also in a County that had not honored this individual, the County that has more farmworkers, more migrants than any other County in the nation. I think the wording "we" comes from the members that were there in my office requesting the name change of this particular road, Morningside, and myself, because I am very glad and honored to be included in the "we" requesting the name.

(APPLAUSE)

Secondly, which road and basically we, we discussed Business 83 and we discussed Morningside Road and we felt that the Business 83 portion, since it runs from one point of the County to another, okay, and that being a State Road, that we would have to address other governing bodies to actually get this issue resolved. I would have liked to have done Business 83 from Canada all the way to Brownsville okay but I knew it couldn't be done.

(APPLAUSE)

So consequently, we settled on Morningside Road, This Commissioner's Court was apprised of the situation; they were presented a resolution and they honorably all voted in favor of this particular change. So I think that..ah..ah..those are the responses to your concerns. There is no question, again on the impact of the change of a road Mr. Addis, and to all the members who live on Morningside Road, we know that and we understand that totally and we face that everytime we have a name change; so in that sense..ah..ah..those are the two reasons that ah..ah..we changed that name, in my opinion, aside from the honor of Cesar Chavez. On..over and above that, ah, I think that we will stand corrected that in the sense that, that there should have been maybe more..ah..ah..announcement after the fact about notification, but please understand that the Post Office works with you and they have a certain grace period whereby you mail will not change. Morningside Road does

not change your physical mailing address because we know you have a route and a box. The physical name that is used in business for location and residence for that matter, there is a time period where law enforcement, 911, post office has a grace period to make that proper transition, so I think that is normal, the normal procedure that we use for this issue. So at this point, ah..we accept your resolution Mr. Addis and in the, for your request for the name change, I do however request to Commissioner's Court that this request be rejected and ask for a motion thereof.

COMM. GARCES I so move Judge.

JUDGE RUIZ Is there a second?

COMM. ARCAUTE Second.

JUDGE RUIZ Motion, second all in favor signafy by saying aye

COMMISSIONERS Aye.

JUDGE RUIZ All opposed same sign; motion carries. Thank you so very much.

HARRY ADDIS That motion, I didn't quite hear, Commissioner...

JUDGE RUIZ To reject your resolution, your request.

HARRY ADDIS Reject the resolution! Well, if I may comment sir. I feel like Custer at ah..the Battle of Little Big Horn.

JUDGE RUIZ That comment is totally uncalled for sir.

HARRY ADDIS Perhaps so, perhaps so..

JUDGE RUIZ ...and please I will cut the discussion.

(APPLAUSE)

HARRY ADDIS ...but, but, Judge, the comment may be totally uncalled for, but I have over 500 signatures here of people that live on Morningside Road, that are supporting this resolution and I'm not here to argue or downgrade anybody, but I do solely feel that if the whole resolution for renaming Morningside is rejected and voted down as a has been, I feel that the Court, in all fairness to future people that would be affected by a name change consider and adopt by their majority vote the provision that I put in there that "it be therefore further resolved that any roads contemplated for change that the people concerned by notified and queried first, before the change becomes final", this is part of republican rule, the people that are serving in public office and working in public office, Commissioner's Court only supervises, Governors, all of these people, serve and work for the population as a whole and are to consult with them and this is means of consulting, notify the people that are concerned before you act. After the

fact, as this happens to come up is, as you can see by the vote is an exercise in futility had this. Had this been presented to the property owners and the residents of Morningside Road prior to the action of the Court on the 22nd of November, this assemblage would not occur today and would the animosity make it self apparent. I thank...

JUDGE RUIZ Thank you sir.

HARRY ADDIS ...the court for your indulgence.

JUDGE RUIZ Thank you.

COMM. ROSEL I think, Judge, that we need to..ah..notify...

COMM. GARCES We need to...(APPLAUSE)

JUDGE RUIZ Item number...Juanita do you want to say a few comments. Very briefly, please

JUANITA COX Ah..good morning to the County Judge and Commissioner's Court..ah..it was never our intention when we ah..had the suggestion for us, for changing..ah..the name to Ceasar Chavez, it was never the intention to cause any..ah..ah..to have them have extra expenses in their letterhead or that some of them may not be able to pronounce the name Ceasar Chavez, it wasn't the, our intention at the Union, when I wrote that letter and when we went throughout this County collecting thousands and thousands of signatures so that we can honor Ceasar Chavez in this way. Ah, we had, ahm, in ah..for example this is a county like you stated that has thousands and thousands of farmworkers in it where there is such a contribution to, to, by the farmworkers in the agricultural industry. The vegetables and the fresh fruits that we all enjoy at the supermarket, they just don't appear there by magic.

(UNKNOWN) They come from Cuba.

JUDGE RUIZ Please sir, please do not do that?

JUANITA COX And so this is, ah..his work, ti's what, ah..we were honoring and ahm..I'm very disappointed to, to, to be here with you today and to think that some of the businesses on..ah..on..on now Ceasar Chavez have..ahm..have felt that it is going to be so expensive or have..so burdensome upon them that they have decided to come before you and ask you for this..ah..for this name change back to Morningside ..ahm..like I said..we..we..that was not our intention, but we are very proud of that street, alot of us do live on that, on that street and we have ..ah..and we do have..we do have the support of the residents. We also went up and down the businesses after we had heard that this was coming up and ah..a lot of the businesses on..on Morning..on Ceasar

Chavez are not against..ah..are not against the..ah..  
the name..ah..the name change and...

AUDIENCE (INAUDIBLE)

JUDGE RUIZ Please may I have order.

(UNKNOWN) I have a business and nobody asked...

JUDGE RUIZ Sir, you are out of order.

(UNKNOWN) You never said anything to them about there noise.

JUDGE RUIZ They didn't make a single comment.

(UNKNOWN) (INAUDIBLE)

JUANITA COX Entonces nada mas..ahm..nada mas este darles las gra-  
cias y este tambien a los..ahm..que no apollado de es-  
star aqui y el realidad este si hay mucho, si hay mucho  
apollo, sientemos de que haiga llegado ha esto, (we feel  
sad that it has come to this, but nonetheless) es un  
trabajo buen hecho, es un hombre grande, se merece el  
reconocimiento y, y asi debe de ser y les damos las  
gracias por la oportunidad de estar aqui con ustedes  
y viva Ceasar Chavez, si se puede.

(APPLAUSE)

JUDGE RUIZ Thank you all very much.

(UNKNOWN) Excuse me. Can we have a translation in English of what  
she said?

(UNKNOWN) About everything the Court, everything the Court-----

JUDGE RUIZ I think they just, would you please, I think that..ah..  
the..ah..things that I talked about earlier are the  
same identical things that Juanita Cox talked about.

(UNKNOWN) So, we're not allowed, no translation, right.

JUDGE RUIZ It was the same thing, it was...

COMM. SANCHEZ You already translated.

(UNKNOWN) So you're trying to tell me that you are going to conduct  
County business in Spanish and not allow us to under-  
stand-----

JUDGE RUIZ No ma'am. Item number two.

MOTION CARRIED (TO REJECT)  
(SEE EXHIBIT F)

ITEM 2. REVIEW OF AUDIT BY STATE COMPTROLLER ON COURT COSTS

Judge Ruiz opened by stating that they had met with the  
State Comptroller. They had conducted an audit on the collection of

(06/12/95)

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Court Costs. According to the audit, the County owes approximately \$142,606.61 to the State of Texas. The Adult Probation Department failed to collect fees in the amount of \$9,447.10. The County Clerk failed to collect \$56,425.76 and the District Clerk failed to collect \$76,733.75. This audit was only for state funds. In Judge Ruiz' estimation, if you included the County portion, there is approximately \$200,000 to \$250,000 that has not been collected with the last 4 years. Judge Ruiz felt that after paying the State it's portion, that he did not know if the County would be able to be reimbursed but the County does have to pay the State due to the Court Order. In essence, the State is getting their money regardless and whatever the County is able to collect is up to the County. After discussion and comments between Mr. Pulido and the County Judge, Judge Ruiz is asking for a budget amendment to pay from tax dollars something that should have been paid from criminals in the amount of \$142,606.61. Commissioner Rosel so moved and was seconded by Commissioners Garces and Arcaute.

MOTION CARRIED  
(SEE EXHIBIT G)

ITEM 3. CONSIDERATION AND POSSIBLE ACTION FOR CONTRACTUAL AGREEMENT WITH MICHAEL J. BLUM COMPANY FOR REVIEW AND UPDATE OF OUR SUBDIVISION REGULATIONS.

Judge Ruiz opened by stating that there was a proposal submitted for review and consolidate SB 1001 with the existing subdivision regulations. Mike Blum came forward and addressed the Court. He opened by stating that he had met with Judge Ruiz the previous week to discuss SB 1001. He had since then reviewed the bill and has broken it up as to how it affects the County. He summarized some of the bill by stating that there would be fines imposed up to \$10,000 and jail time for those subdividers and contractor who continue to violate this bill. He stated that changes would mostly be required if the subdivision falls within the County Jurisdiction and he wasn't sure if it covered the city's jurisdiction to include it's ETJ. He would have to get some clarification on that issue. Commissioner Arcaute asked if it would apply to existing colonias or to all of them to include new ones. If specifications are not met by new subdivisions, the plats will have to be amended. After some lengthy comments and questions a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve contract.

MOTION CARRIED  
(SEE EXHIBIT H)

- ITEM 4. ADULT DETENTION FACILITY:
- A. ACCEPT LETTER OF ENGAGEMENT FOR UNDERWRITERS AND EXEMPT THEM FROM THE BIDDING PROCEDURES
  - B. AUTHORIZATION TO REJECT ALL PROPOSALS FOR CONSTRUCTION MANAGER
  - C. AUTHORIZATION TO ADVERTISE FOR PROPOSALS FOR CONSTRUCTION MONITOR

4A

Judge Ruiz stated that last week there were 3 underwriters listed. In the previous week there was some confusion as to who was the third party, whether it was First Southwest or Southwestern

(06/12/95)

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Capital Markets. He also stated that there was a letter around stating that there was not even a proposal from Southwestern Capital Markets and Judge Ruiz insisted that the a proposal was received of them. Due to the proposal being lost, Judge Ruiz requested a motion to reject all statement for underwriters and reauthorize the advertisement for Statements of Qualifications. Commissioner Rosel so moved and was seconded by Commissioner Garces. After some comments from Commissioner Arcaute, he stated that he votes against.

MOTION CARRIED  
(SEE EXHIBIT I)

4B

Judge Ruiz stated that they had talked to several people on this matter and he felt that they were not seeing eye to eye. He stated that alot of the proposal companies felt that they would be doing the work and getting their own subcontractors which is not the case. Judge Ruiz stated that the manager would just devise a set of plans and County Government would review it and decided whether or not to go with those plans. He stated that this position would be more of eyes and ears as far as to how construction is coming along and report back to Commissioner's Court. In essence, Judge Ruiz requested that a Construction Manager was not needed and wants to reject all proposals. Judge Ruiz stated that the Monitor would be responsible for obtaining bids for subcontractors and that would take that task from the County; therefore the Manager is not needed. After lengthy comments by the Commissioners, a motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to reject all proposals for Construction Manager.

MOTION CARRIED  
(SEE EXHIBIT I)

4C

A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to authorize the advertising for proposals for Construction Monitor. Commissioner Arcaute voted against.

MOTION CARRIED  
(SEE EXHIBIT I)

ITEM 5. AUTHORIZATION TO EXTEND EXISTING AMBULANCE SERVICE CONTRACT FOR NINETY DAYS

Judge Ruiz stated that there was an emergency ambulance service contract with EMS Co. in Edinburg that is serving the western part of the County. This contract ends on June 13. The cost of the contract for 90 days is \$25,000. Judge Ruiz recommended the extension of this contract for 90 days to authorize the advertisement for bids to properly evaluate the bids and award, then to draw up a contract and have whom-ever come in and do the service. Commissioner Rosel so moved and was seconded by Commissioner Garces afterwhich a lengthy conversation ensued concerning who has paid and who has not since 1993 and also Commissioner's Arcaute and Sanchez stating that they still did not think it was right for the whole County paying for service that only part of the County was receiving. After some more comments were made, the motion was amended to extend the contract for 30 days at a prorated cost

of the \$25,000 for the 90 day period. A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to vote the original motion now amended to extend the contract for 30 days.

MOTION CARRIED (BOTH MOTIONS)  
(SEE EXHIBIT J)

ITEM 6. DISTRICT ATTORNEY:

A. BUDGET AMENDMENT AND APPROPRIATION - HOT CHECK DIVISION

After some comments from Mrs. Etnire, a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve a budget amendment of \$6,000 in the Hot Check Department and authorize the appropriation thereof for 4 temporary positions as extra help, labor tax, and workman's comp.

MOTION CARRIED  
(SEE EXHIBIT K)

ITEM 7. ADULT DETENTION DEPARTMENT:

A. APPROVAL OF CHANGE ORDER #4 BOOT CAMP CONSTRUCTION PROJECT  
B. BUDGET AMENDMENT (STATE FUNDS)

7A

Joe Lopez opened by stating that the original contractor did not finish the project. He stated that there was a balance of \$1792 which was money that was set aside for the plaque that goes on the building and some lettering on the building. He stated that there were several attempts to contact the contractor and after reaching him, the contractor stated that he did not want anything to do with the project anymore. They want to deobligate the amount of money for work that was not done. The contractor signed off on the amount of \$1792. With that amount, they want to purchase the plaque and finish the project. Joe Lopez stated that there were two bids for the cost to finish. One of the bids is for \$580 and the other is for \$620. At this time there was a motion to approve change order #4 with Gerlach Brothers Construction reducing their contract by \$1792. Commissioner Arcaute so moved and was seconded by Commissioner Rosel.

MOTION CARRIED  
(SEE EXHIBIT L)

7B

Joe Lopez opened by stating that the department had received \$56,046 in supplemental supervision funding. This was referred to as a bonus for an increase in case loads. This money did not have anything attached to it as normal funding. What Mr. Lopez did, was he made a budget adjustment to utilize the money primarily, \$36,710 for equipment to bring them up to date for the needs that they have. Mr. Lopez stated that after conversations with the Judge, he wants to increase security in the parking lot where the probation employees park. He has earmarked \$6,000 of the amount to dedicate to the parking lot. The remaining \$13,336 was transferred over to the boot camp to replace some GED computers that are starting to go bad. The amount for the boot camp will be appropriated at a later date. At this time, Judge Ruiz requested a motion to authorize the acceptance of \$56,046 from State Funds and to appropriate \$42,710 in office equipment, minor equipment and other struc-

tures. Commissioner Sanchez so moved and was seconded by Commissioner Arcaute.

MOTION CARRIED  
(SEE EXHIBIT L)

ITEM 8. CONSIDERATION AND APPROVAL OF SUBMITTAL OF GRANT FOR HIDALGO COUNTY SOLID WASTE ENFORCEMENT PROGRAM-YR. '95-'96

NO ACTION

ITEM 9. 1995 NARCOTICS TASK FORCE GRANT:

A. SHERIFF'S DEPARTMENT

1. Acceptance of Department Grant Budget in the amount of \$236,859.00 effective June 1, 1995 and appropriate budget
2. Set Salaries
3. Approval of Interlocal Agreement with the City of McAllen

B. DISTRICT ATTORNEY:

1. Acceptance of Department Grant Budget in the amount of \$78,723.00 effective June 1, 1995 and appropriate budget
2. Set Salaries
3. Approval of Interlocal Agreement with the City of McAllen

9A1

Emilia Uriegas opened by stating that the Sheriff's Department had been awarded a grant for the Narcotics Task Force in the amount of \$236,859. This grant is to be funded by the City of McAllen 100%. It covers 5 investigators and 1 secretary. A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to appropriate \$236,859.90 as presented.

MOTION CARRIED  
(SEE EXHIBIT M)

9A2

Emilia opened by stating that they were setting salaries for the whole grant period of \$25,123 for the investigators and \$16,872 for the secretary. She stated that this was incorporating a possible 5% for the following year. A motion was made by Commissioner Arcaute and was seconded by Commissioner Rosel to authorize the setting of salaries for 5 officers and 1 secretary under the Narcotics Task Force Grant for the Sheriff's Office.

MOTION CARRIED  
(SEE EXHIBIT M)

9A3

Judge Ruiz stated that in order to do this, they had to approve an Interlocal Agreement with the City of McAllen who is the recipient of the grant. A motion was made by Commissioner Arcaute and was seconded by Commissioner Rosel to approve the Interlocal Agreement between the City of McAllen and the County of Hidalgo for the appropriation and operations of the Narcotics Task Force Grant.

MOTION CARRIED

(SEE EXHIBIT M)

9B1

Dick Wade opened by stating that this similar action to that of the Sheriff's Department. It is 100% funded by the City of McAllen through the Narcotics Grant. The requesting that \$78,723 to be allocated to that budget to pay the Assistant District Attorney and Legal Secretary. At this time, Judge Ruiz requested a motion to accept the budget and appropriate it as established, \$78,723. Commissioner Garces so moved and was seconded by Commissioner Arcaute.

MOTION CARRIED  
(SEE EXHIBIT M)

9B2

Judge Ruiz stated that they request the setting of salaries for this particular grant for the year 1995-1996. District Attorney \$45,000, Legal Secretary \$20,000. Commissioner Arcaute so moved and was seconded by Commissioner Garces.

MOTION CARRIED  
(SEE EXHIBIT M)

9B3

Judge Ruiz requested an Interlocal Agreement with the City of McAllen under the Sheriff's, D.A.'s portion of the Narcotics Task Force Grant. Commissioner Garces so moved and was seconded by Commissioner Arcaute.

MOTION CARRIED  
(SEE EXHIBIT M)

ITEM 10. SHERIFF'S DEPARTMENT:

- A. AUTHORIZATION AND APPROVAL TO APPROPRIATE UNBUDGETED FUNDS FOR THE SHERIFF'S INVESTIGATION FUND #102 YEAR 1995
- B. DECLARE OFFICE EQUIPMENT AND FURNITURE SURPLUS

10A

Emilia Uriegas stated that the amount was \$34,158.55 as April 30 of this year. A motion was made by Commissioner Arcaute and was seconded by Commissioner Rosel to authorize the unbudgeted funds of \$34,150.55 into item 66 and 86 as presented.

MOTION CARRIED  
(SEE EXHIBIT N)

10B

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the declartion of equipment surplus and authorize the County Purchasing Agent to dispose of said equipment.

MOTION CARRIED  
(SEE EXHIBIT N)

ITEM 11. PCT. #1

- A. AUTHORIZATION AND APPROVAL TO APPROPRIATE CONTRIBUTION IN THE AMOUNT OF \$10,000 - VICTORIA ROAD

Commissioner Sanchez opened by stating that when this was done before that this be put into object 37. He also stated that according to Steve it has to be appropriated into a particular project and should be kept track of separately. It was Steve's recommendation that it be put into object 37 function 230. Mr. Austin then stated that Commissioner Sanchez would be using acct. #5-030-431-210 and that should be subfunction 230. At this time a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the contribution of \$10,000 and appropriate it accordingly to the direction of the County Auditor.

MOTION CARRIED  
(SEE EXHIBIT O)

ITEM 12. PLANNING DEPARTMENT:

- A. PRELIMINARY PLAT APPROVAL:
  - 1. Cave Subdivision - Pct. 4
  - 2. Los Cerritos Subdivision Unit 3 - Pct. 4
- B. PLAT APPROVAL AND VARIANCE REQUEST:
  - 1. Rodriguez Acres - Pct. 4

12A1

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to give Cave Subdivision in Pct. 4 preliminary plat approval as presented.

MOTION CARRIED  
(SEE EXHIBIT P)

12A2

After Mr. Garcia stated that all requirements had been met, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to give preliminary plat approval to Los Cerritos Subdivision Unit #3 as presented.

MOTION CARRIED  
(SEE EXHIBIT P)

12B1

Mr. Garcia stated all the requirements, he stated that the owner was requesting a variance through the subdivision regulations Section 9.3.4, the Culvert Pipe Fees. Mr. Garcia stated that since the subdivision was up hill, the existing County Rd. did not need culverts. At this time, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to give a variance to owners of Rodriguez Acres for not paying the culvert fee on the subdivision. JUDGE RUIZ VOTED AGAINST

MOTION CARRIED  
(SEE EXHIBIT P)

ITEM 13. PURCHASING DEPARTMENT:

- A. REQUEST TO ADVERTISE:
  - 1. Medical Supplies - Health Department
  - 2. Medical Equipment - Health Department
  - 3. Proposal for Ambulance Service
- B. AWARD BIDS:
  - 1. Accept and award bid on renovation of County Adult De-

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- tention Facility (TB Unit) and amend budget
- C. REQUEST FOR PROPOSALS:
1. Legal Service for Mentally Ill or Mentally Retarded Indigent Persons Accused of Crimes

13A1

A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to authorize the advertisement for bids for Medical Supplies for a 1 year for the Health Department. Bid opening July 12 and Bid Award July 18.

MOTION CARRIED  
(SEE EXHIBIT Q)

13A2

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the advertisement for bids. Bid Opening July 12 and Bid Award July 18.

MOTION CARRIED  
(SEE EXHIBIT Q)

13A3

Mary Maldonado stated that this is a proposal for service of 1 year. Commissioner Rosel stated that it was for the one that was left out which was Granjeno. After some comments a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the advertisement for proposals for Ambulance Service for certain portions of Precinct 3. Insurance issue had been cleared up, bonds, etc. etc.

MOTION CARRIED  
(SEE EXHIBIT Q)

13B1

Mary Maldonado stated that there were three bids. She stated that since the bid opening, she had learned from the Jail Commission that the existing doors at the present unit were alright. Because of this, Sweezy Construction had adjusted their bid from \$150,000 to \$48,518. She recommended Sweezy Construction. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to award bid to Sweezy Construction Co. at \$150,000 for the renovation of the County Jail.

MOTION CARRIED  
(SEE EXHIBIT Q)

There was also a budget amendment in the amount of \$11,518. After some comments a motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to amend the budget by \$11,518.

MOTION CARRIED  
(SEE EXHIBIT Q)

13C1

Ms. Maldonado opened by stating that this had never been done. It was just taken under advisement. After brief comments, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel

to authorize the advertisement for proposals for mentally ill and mentally retarded indigent persons accused of crimes.

MOTION CARRIED  
(SEE EXHIBIT Q)

ITEM 14. URBAN COUNTY:

- A. APPROVAL OF RESOLUTION DESIGNATING AN ALTERNATE TO THE MPO POLICY COMMITTEE
- B. AUTHORIZATION TO SUBMIT FAIR HOUSING INITIATIVES APPLICATION IN THE AMOUNT OF \$100,000 AND ADOPTION OF RESOLUTION
- C. CITY OF LA VILLA - HOME - HOUSING REHABILITATION PROGRAM- CONSTRUCTION CONTRACT AWARD
- D. CITY OF ALAMO - PROFESSIONAL SERVICES CONTRACT (ENGINEERING) YR. 7 (B-94-UC-48-0501) PFI - SEWER IMPROVEMENTS
- E. PCT. #1 - INTERLOCAL AGREEMENT WITH THE CITY OF WESLACO PFI - STREET IMPROVEMENTS
- F. PCT. #2 YEARS 7 CONTRACT AWARD STREET IMPROVEMENTS PROJECT
- G. APPROVAL OF BILLS

14A

Judge Ruiz stated that he himself was a member of this Committee. He stated that he was not always able to attend, therefore an alternate needed to be selected. He recommended Commissioner Garces as the alternate. Commissioner Sanchez so moved and was seconded by Commissioner Arcaute to approve resolution.

MOTION CARRIED  
(SEE EXHIBIT R)

14B

Mr. Covacevich opened by stating that they wanted to table this item due to the deadline being extended an additional month.

NO ACTION

14C

Anthony Covacevich stated that this was for four dwelling rehabs for \$62,495. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to award bid to low bidder be it J.D. Villarreal Construction Co. for the renovation of four dwellings.

MOTION CARRIED  
(SEE EXHIBIT R)

14D

A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to award a professional service contract to CEC Consulting; contract estimate \$14,000.

MOTION CARRIED  
(SEE EXHIBIT R)

14E

Mr. Covacevich opened by stating that this agreement was for the construction of several streets. A motion was then made by Com-

Sanchez and was seconded by Commissioner Garces to approve an interlocal agreement with the City of Weslaco and the County of Hidalgo to Pct. 1.

MOTION CARRIED  
(SEE EXHIBIT R)

14F

Anthony Covacevich stated that this was for an agreement between pct. 2 and Mission Paving. The amount \$32,525.25. A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to award bid to Mission Paving being the the low bidder; contract amount \$32,525.25.

MOTION CARRIED  
(SEE EXHIBIT R)

14G

After Mr. Covacevich reviewed the outstanding bills, a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve all bills as presented.

MOTION CARRIED  
(SEE EXHIBIT R)

- ITEM 15. OFFICE OF EMPLOYMENT AND TRAINING:
  - A. CONSIDER AND APPROVE FINAL CONTRACT AWARDS FOR PY '95
  - B. TDOC CORRECTIVE MEASURES PROGRESS REPORT

15A

Mr. Salinas opened by stating that the Summer Youth Employment contract had been awarded by the Private Industry Council contingent on Federal funding. Since then, they have received 3.5 million dollars. After stating the breakdowns for the money, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel for the final contract award for PY '95 Title IIB as presented. This to be retro-active June 1, 1995.

MOTION CARRIED  
(SEE EXHIBIT S)

15B

Mr. Salinas opened by stating that there were only 2 items that needed to be corrected and they were being worked on as they spoke. They should be done today since today is the deadline.

NO ACTION  
(SEE EXHIBIT S)

- ITEM 16. EXECUTIVE SESSION:
  - A. DISCUSSION AND POSSIBLE ACTION ON:
    - 1. Compensatory Time - Steve Crain
    - 2. City of Hidalgo Health Clinic - Anthony Covacevich

- ITEM 17. OPEN SESSION:
  - A. DISCUSSION AND POSSIBLE ACTION ON:
    - 1. Compensatory Time - Steve Crain
    - 2. City of Hidalgo Health Clinic - Anthony Covacevich

17A1

Judge Ruiz stated that there be no action taken at this time on this item.

NO ACTION

17A2

Judge Ruiz opened by stating that the City of Hidalgo and Commissioner's Court had joined into contract with Central Construction Company to build a Health Clinic. The contract amount came to \$278,000 and there have been 2 payments made to Central Construction Company in the amount of \$140,000. They have been unsuccessful in contacting the company in order for them to return and finish the project. At this time, Judge Ruiz is recommending the cancellation of this contract. A motion was made by Commissioner Arcaute and was seconded by Commissioner Rosel to authorize the cancellation of contract with Central Construction Co.

MOTION CARRIED

There being no further business to come before this Commissioner's Court, a motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to adjourn. This meeting is adjourned.

DRAINAGE DISTRICT  
=====

The Honorable J. Edgar Ruiz, County Judge, called this Drainage District Board Meeting to order, where the following proceedings were had to wit:

- ITEM 1. ACCETANCE OF THE CONSTRUCTION ON THE RANCHO SANTA CRUZ PROJECT AN AUTHORIZATION OF PAYMENT OT CONTRACTOR

Judge Ruiz opened by stating that they were now at the final payment on the this project. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to accept the construction that was done by McAllen Construction Co. on Rancho Santa Cruz Project and authorize final payment to the contractor.

MOTION CARRIED  
(SEE EXHIBIT T)

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

MOTION CARRIED

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

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 12TH day of JUNE, 1995.

ATTEST:

JOSE ELOY PULIDO, County Clerk  
Hidalgo County, Texas



By: Aaron Betancourt  
AARON BETANCOURT, Deputy