

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 3RD day of OCTOBER, 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. Richard H. Garcia  
Interim 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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OCTOBER 03, 1995

The Honorable Richard H. Garcia, Interim County Judge, called this meeting to order, whereupon the following items were had to wit:

CONSENT AGENDA

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ITEM 1. APPROVAL OF MINUTES - JUNE 6, 1995

ITEM 2.	APPROVAL OF BILLS	- COUNTY AUDITOR			
	GENERAL FUND	- 113547 - 113750	- \$1,481,246.28		
	SPECIAL REVENUE FUND	- 114049 - 114277	- \$ 138,657.45		
	TRUST AND AGENCY FUND	- 5012 - 5016	- \$ 350,422.80		
	ENTERPRISE FUND	- 2416 - 2720	- \$ 723.40		

(SEE EXHIBIT A)

ITEM 3. APPROVAL OF ATTORNEY'S FEES IN THE AMOUNT OF \$60,033.77

(SEE EXHIBIT B)

ITEM 4. APPROVAL OF OFFICIAL BOND:

A. HOMERO GARZA - COUNTY COURT AT LAW #3

(SEE EXHIBIT C)

ITEM 5. PLANNING DEPARTMENT:

A. SUBDIVISIONS:

1. WESTGATE NORTH SUBDIVISION - PCT. 1
2. NORTH EAST CROSSING NO. 2 - PCT. 2
3. WILKINS SUBDIVISION - PCT. 2
4. CONWAY PLAZA SUBDIVISION - PCT. 3
5. KEYSTONE ESTATES PHASE I - PCT. 3
6. AMENDED PLAT OF DISCOVERY SCHOOL - PCT. 4
7. SHALOM SUBDIVISION NO. 2 - PCT. 4

B. RELEASE LETTER OF CREDIT:

1. LAS PALMAS DEL NORTE SUBDIVISION - PCT. 3

(SEE EXHIBIT D)

ITEM 6. PERMITS:

- A. NORTH ALAMO WATER SUPPLY - PCT. 1 & 4
- B. CITY OF PHARR - PCT. 2
- C. SOUTHWESTERN BELL TELEPHONE - PCT. 3
- D. TRANS TEXAS NATURAL GAS CORPORATION - PCT. 3

(SEE EXHIBIT E)

- ITEM 7. LINE ITEM TRANSFERS:
  - A. ELECTIONS DEPARTMENT
  - B. BUILDINGS AND GROUNDS
  - C. COUNTY COURT AT LAW #4
  - D. ADULT PROBATION - EDUCATION/EMPLOYMENT
  - E. ADULT PROBATION - RESTITUTION CENTER
  - F. JUVENILE DETENTION
  - G. JUVENILE PROBATION
  - H. SOLID WASTE ENFORCEMENT
  - I. PERSONNEL DEPARTMENT
  - J. TAX OFFICE
  - K. PCT. #3 - ADMINISTRATION
  - L. PCT. #3 - PAVED/UNPAVED
  - M. PCT. #3 - PARKS
  - N. PCT. #4 - ROAD AND BRIDGE
  - O. SHERIFF'S DEPARTMENT
  - P. DETENTION CENTER (JAIL)
  - Q. PURCHASING DEPARTMENT
  - R. COUNTY CLERK
  - S. PCT. #1 - PAVED UNPAVED
  - T. COUNTY COURT AT LAW #1

(SEE EXHIBIT F)

A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the Consent Agenda as presented.

MOTION CARRIED  
(SEE EXHIBITS A-F)

REGULAR AGENDA  
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- ITEM 1. TAX ASSESSOR/COLLECTOR:
  - A. APPROVAL OF TAX REFUND:
    - 1. SANTOS SAENZ - \$674.01
    - 2. VALLEY MORTGAGE CO. - 719.73
    - 3. V.F. TEXAS PROPERTIES - \$39,254.05
    - 4. EDINBURG CISD - \$27,364.49

1A1

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the Tax Refund of Santos Saenz in the amount of \$674.01.

MOTION CARRIED  
(SEE EXHIBIT G)

1A2

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the Tax Refund of Valley Mortgage Company in the amount of \$719.73.

MOTION CARRIED  
(SEE EXHIBIT G)

1A3

A motion was made by Commissioner Rosel and seconded by Commissioner Garces to approve the Tax Refund of V.F. Texas Properties in the amount of \$39,254.05.

MOTION CARRIED  
(SEE EXHIBIT G)

1A4

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the Tax Refund of Edinburg CISD in the amount of \$27,364.49.

MOTION CARRIED  
(SEE EXHIBIT G)

ITEM 2. CONSIDERATION AND ACTION ON TAX RATE

Commissioner Sanchez opened by stating that this issue had been addressed the previous Friday. The County wide Tax Rate would be at .4460 and the Drainage District rate would be at .0415. Commissioner Sanchez stated that compared to the previous year, there was a difference of .0376 less for the new proposed rate. It was mentioned by the Commission that everyone would be affected differently as far as the rate was concerned. Judge Garcia proceeded to recite the breakdowns of the Tax Rates as per the exhibit. A discussion ensued where the Commission expressed their enthusiasm of the decrease of taxes. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to set the Tax Rate for 1995 as presented. The vote was conducted individually. All Commissioners, including the Judge voted in favor of the motion.

MOTION CARRIED  
(SEE EXHIBIT H)

## ITEM 3. PRESENTATION OF TELEPHONE SYSTEM-SOUTHWESTERN BELL-JUAN TORRES

Juan Torres addressed the Court and stated that this has been an ongoing process. The current PBX Board is not able to keep up with the demand of all the incoming calls. He proposed a system known as Plexar in which the new PBX Board would be maintained and monitored from the Southwestern Bell Central Office. It would be possible to have both PBX's functioning at the same time. This new system would save the County approximately \$500. There were some comments concerning the system that is currently in place with regards to all the problems it is having and how it could be improved. Following the discussion, Judge Garcia moved on to the next item.

NO ACTION

## ITEM 4. ACTION TO CREATE A TASK FORCE CONCERNING COPC

Dr. Omar Garza opened by stating that the list that he was giving to the Commission, is the task force that was formed in May of the previous year. The second list was the Hidalgo County Health Service Coalition. Judge Garcia then proceeded to read a list of proposed task force members. A discussion ensued concerning the COPC project itself. The comments reverted back to the previous discussions and concerns. The Task Force will be responsible for gathering facts and figures concerning the project. Following the lengthy discussion, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel of members for the COPC Task Force. The list is as follows: Judge Garcia or a representative from the County Judge's Office, Dr. Omar Garza, Dr. Ramiro Casso, Dr. Leonel Vela, Dr. Victor German, Jose Soto, Ron Tupper, Father Bart and Rudy De La Vina. The motion was put to a vote and all voted in favor.

MOTION CARRIED  
(NO EXHIBIT)

## ITEM 5. HEALTH DEPARTMENT:

- A. APPROVAL OF ATT. NO. 10 BUREAU OF WOMEN & CHILDREN - FEE FOR SERVICES
- B. APPROVAL OF ATT. NO. 11 BUREAU OF WOMEN & CHILDREN - CORE PUBLIC HEALTH FUNCTIONS (TITLE V FUNDS)
- C. SET SALARIES

5A

Dr. Garza addressed the Court and stated that the total fee for services is the same as it had been in the past. This is in the

amount of \$747,560 to run from 9/1/95 to 8/31/96. A motion was made by Commissioner Garces and was seconded by Commissioner Commissioner Sanchez to approve the #10 Bureau of Women & Children fee for services.

MOTION CARRIED  
(SEE EXHIBIT I)

5B

Dr. Garza opened by stating that this contract #11 was in the amount of \$218,471 and it is also to run from 9/1/95 to 8/31/96. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.

MOTION CARRIED  
(SEE EXHIBIT I)

5C

Dr. Garza was requesting to set salaries which was included in the exhibits for each contract. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to set salaries.

MOTION CARRIED  
(SEE EXHIBIT I)

ITEM 6. WIC:

- A. AUTHORIZATION TO OBTAIN APPROVAL TO WAIVE COMPETITIVE BIDDING REQUIREMENTS FOR RENEWAL OF LEASE FOR OFFICE SPACE IN LA JOYA

Norma Longoria opened by stating that there was no renewal clause in the existing lease; therefore, they will have to go out on bids. She is requesting no action at this time.

NO ACTION  
(SEE EXHIBIT J)

ITEM 7. COUNTY JUDGE:

- A. DECLARE VEHICLES SURPLUS & APPROVAL OF SALE FOR AUCTION:
  - 1. 1987 FORD CROWN VICTORIA VIN # 2FABP72F8HX211156
  - 2. 1987 FORD CROWN VICTORIA VIN # 2FABP72F4HX211171

Roy Quintanilla stated that the vehicles that the Warrant Officers were using were temporary vehicles from the Sheriff's Department. They have since acquired other vehicles from the Texas Department of Public Safety and they are requesting to surplus the initial vehicles and

that they be auctioned. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve.

MOTION CARRIED  
(SEE EXHIBIT K)

ITEM 8. SHERIFF'S DEPARTMENT:

- A. SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE GRANT
  - 1. BUDGET AMENDMENT OF MATCHING FUNDS - \$6,391.00
  - 2. AUTHORIZE COUNTY AUDITOR TO APPROPRIATE RETROACTIVE TO SEPTEMBER 1, 1995 - GRANT BUDGET IN THE AMOUNT OF \$165,561.00
  - 3. SET SALARY OF POSITIONS
  - 4. APPROVAL OF INTERLOCAL AGREEMENTS "ASSURANCE CERTIFICATION", "COMPLIANCE REQUIREMENT" AND "AMERICANS WITH DISABILITIES ACT CERTIFICATION"

8A1

Emilia Uriegas stated that final grant approval had been received from Brownsville regarding the Auto Theft Task Force Grant. This is to run from 9/1/95 to 8/31/96. This grant will require a match of \$6,391.00. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

MOTION CARRIED  
(SEE EXHIBIT L)

8A2

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the retroactive date of September 1, 1995 for the grant in the amount of \$165,561.00.

MOTION CARRIED  
(SEE EXHIBIT L)

8A3

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to set salaries.

MOTION CARRIED  
(SEE EXHIBIT L)

8A4

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the attached interlocal agreement as listed.

MOTION CARRIED  
(SEE EXHIBIT L)

- ITEM 9. COURT REPORTER'S FEES:
- A. BUDGET AMENDMENT
  - B. APPROVAL OF COURT REPORTER'S FEES:
    - 1. JENNIFER K. O'NEALL - \$185.00
    - 2. JENNIFER K. O'NEALL - \$1,011.00

9A

There was some discussion among the Commission in which they stated that this amendment was for pending fees. A motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to approve.

MOTION CARRIED  
(SEE EXHIBIT M)

9B1&2

A motion was made by Commissioner Garces which was seconded by Commissioner Sanchez to approve the Court Reporter's Fees for Jennifer K. O'Neall in the amount of \$185 & \$1,011.

MOTION CARRIED  
(SEE EXHIBIT M)

- ITEM 10. BUDGET AMENDMENT:
- A. COURT OF APPEALS - RENOVATION

Commissioner Arcaute opened this topic by moving for the amendment. Commissioner Rosel seconded the motion, but for discussion also. He stated that he had discussed this with Legal Counsel. He stated that he wanted to make sure that they were going to be refunded from the bond that was to be issued. He also stated that there needed to be certain documentation filed in order to assure that the money would be returned to the General Fund. According to Mr. Crain, he stated that he had been in contact with Mr. Ramirez, who is bond counsel and Mr. Ramirez was supposed to send a letter stating how to correctly go about doing so. Commissioner Arcaute adamantly stated that it was going to happen with the sale of the bonds. He also stated that the question here was whether it could be done legally from the bond and stated that it had been answered. Commissioner Rosel again stated that documentation needed to be filed and Commissioner Arcaute stated that it could be done with the bond. Commissioner Sanchez, amidst all the comments, stated that this was just

to set the money aside and they still had to go through all the advertisements. After those comments, Commissioner Rosel upheld his second to the motion. The motion was then put to a vote in which all voted in favor.

MOTION CARRIED  
(SEE EXHIBIT N)

ITEM 11. PCT. #3:  
A. BUDGET AMENDMENT

Commissioner Rosel stated that this was the culvert monies that have come as the work was being done. These monies were unbudgeted and he would like to appropriate them. The total amount is \$15,5883 and this will go into object #36. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the unbudgeted amount of money in paved/unpaved item #36 in the amount of \$15,883.

MOTION CARRIED  
(SEE EXHIBIT O)

ITEM 12. PCT. #4:  
A. DEOBLIGATE 1995 FUNDS TO TRANSFER TO GENERAL FUND-\$5,395.00

Commissioner Garces opened by stating that this was an invoice for a fogger. He wanted to deobligate monies from #95 and put it into the General Fund. A motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to approve.

MOTION CARRIED  
(SEE EXHIBIT P)

ITEM 13. PURCHASING DEPARTMENT:  
A. AWARD BIDS:  
1. LEASING OF FARM LAND - HIDALGO COUNTY  
2. UPGRADE, EXPAND & REPLACE CERTAIN COMPONENTS OF THE GED LAB COMPUTER SYSTEM - BOOT CAMP

13A1

Mary Maldonado stated that there were no bids received on this item.

NO ACTION  
(SEE EXHIBIT Q)

13A2

Ms. Maldonado stated that there were three bids received. The bids were from Computer Curriculum Corporation with a no bid, Ranette Company and Digi-Com. Mr. Lopez then addressed the Court. He stated that Digi-Com had met all requirements. He also stated that they were going to add and replace some items in this lab. The money for this will be coming out of FY-95 monies. After further comments, a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to accept the bid from Digi-Com in the amount of \$16,162.

MOTION CARRIED  
(SEE EXHIBIT Q)

## ITEM 14. PLANNING DEPARTMENT:

## A. SUBDIVISIONS:

1. COTTON ESTATES - PCT. #1
2. J.S. SUBDIVISION - PCT. #4
3. VILLA RAMA EAST SUBDIVISION - PCT. #3

## B. FINAL PLAT APPROVAL:

1. BASHAM NO. 42 SUBDIVISION - PCT. #3
2. VISTA DEL SOL SUBDIVISION - PCT. #4

14A1

Emilio Garcia stated that all requirements had been met. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve Cotton Estates as presented.

MOTION CARRIED  
(SEE EXHIBIT R)

14A2

A motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to approve J.S. Subdivision.

MOTION CARRIED  
(SEE EXHIBIT R)

14A3

Mr. Garcia stated that all requirements had been met and he recommended the approval of this subdivision. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve Villa Rama Subdivision.

MOTION CARRIED  
(SEE EXHIBIT R)

14B1

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to give final plat approval to Basham No. 42.

MOTION CARRIED  
(SEE EXHIBIT R)

14B2

Mr. Garcia recommended approval of the subdivision. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to give final plat approval to Vista Del Sol as presented.

MOTION CARRIED  
(SEE EXHIBIT R)

ITEM 15. URBAN COUNTY:

- A. CITY OF DONNA - PFI WATER LINE REPLACEMENT CHANGE ORDER #1
- B. CITY OF WESLACO - WESLACO BOYS & GIRLS CLUB SUBRECIPIENT AGREEMENT B-95-UC-48-0501
- C. 1995 INTERLOCAL AGREEMENTS
- D. PCT. #1 - INTERLOCAL AGREEMENT WITH THE CITY OF PROGRESSO PFI STREET IMPROVEMENTS
- E. CITY OF ALAMO - HOME - HOUSING REHABILITATION PROGRAM - CHANGE ORDER CASE # AM 93-13
- F. CITY OF PENITAS - HOME - HOUSING REHABILITATION PROGRAM - CONSTRUCTION CONTRACT AWARD

15A

Anthony Covacevich stated that this was a change order in the amount of \$23,489. A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve.

MOTION CARRIED  
(SEE EXHIBIT S)

15B

Mr. Covacevich stated that this was an agreement with Weslaco Boys & Girls Club for \$110,000. A motion was made by Commissioner Sanchez and was seconded by Commissioner Rosel to approve the agreement.

MOTION CARRIED  
(SEE EXHIBIT S)

15C

Mr. Covacevich stated that these were agreements with

Palmview, Penitas and Granjeno. A motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez.

MOTION CARRIED  
(SEE EXHIBIT S)

15D

Mr. Covacevich stated that this was an agreement with Progreso for street improvements. This is for cooperation between Pct. 1 and the City of Progreso to utilize \$232,742.65 from Progreso Urban County funds to pave 3 roads. A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve.

MOTION CARRIED  
(SEE EXHIBIT S)

15E

Mr. Covacevich stated that this was an increase of \$300 for work on a sink counter top. A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to approve.

MOTION CARRIED  
(SEE EXHIBIT S)

15F

Motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to take the bids of Quality Investments for \$59,700 and J.D. Villarreal for \$75,600 under consideration and allow additional time to come up with additional finances.

MOTION CARRIED  
(SEE EXHIBIT S)

ITEM 16. COMMUNITY SERVICE AGENCY:

- A. APPROVAL OF TEXAS DEPARTMENT OF HEALTH - MEDICAID MEDICAL TRANSPORTATION FY 95-96
- B. APPROVAL OF NATIONAL CORPORATION FOR COMMUNITY SERVICE - R.S.V.P. FY 95-96

16A

Maribel Navarro stated that this was for a proposal for the coming year and be for the purpose of medical transportation services. As per the exhibit, there are different rates for urban areas only and urban and rural areas combined. She stated that in the past 4 years, they had done subcontracting for urban areas only. They are also offering other

options for the common area. A motion was then made by Commissioner Arcaute and was seconded by Commissioner Sanchez to approve.

MOTION CARRIED  
(SEE EXHIBIT T)

16B

Mrs. Navarro stated that this was for a request for an application for federal assistance for Retired Senior Volunteer Program. After further comments, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the National Corporation for Community Services R.S.V.P. fy 95-96.

MOTION CARRIED  
(SEE EXHIBIT T)

- ITEM 17. OFFICE OF EMPLOYMENT AND TRAINING - FUNDING OF OET
  - A. REQUEST ADVANCE AND/OR BUDGET AMENDMENT
  - B. APPROPRIATION OF FUNDS

17A&B

Mr. Mendiola requested that this item be tabled until the following week so that they may gather their fact and figures for a formal presentation. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to table this item.

MOTION CARRIED  
(NO EXHIBIT)

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

MOTION CARRIED

There being no further business to come before this Commissioner's Court, this meeting is adjourned.

The Honorable Richard H. Garcia, Interim County Judge, called this Drainage District meeting to order, where upon the following items were had to wit:

DRAINAGE DISTRICT  
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## ITEM 1. LINE ITEM TRANSFER

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the line item transfer for Drainage District #1 in the amount of \$1932.42.

MOTION CARRIED  
(SEE EXHIBIT U)

## ITEM 2. CONSIDERATION AND ACTION ON TAX RATE

Judge Garcia stated that the proposed rate was .0415. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to set the Drainage District Tax Rate for 1995 at .0415. The Commission took an individual vote, in which all voted in favor.

MOTION CARRIED  
(SEE EXHIBIT H)

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

MOTION CARRIED

There being no further business before this Drainage District Board, this meeting stands adjourned.

THERE BEING NO FURTHER BUSINESS TO COME

BEFORE SAID COURT, the meetings of the Commissioners' Court and the Drainage District were hereby adjourned.

Richard H. Garcia  
Interim 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 3RD day of OCTOBER, 1995.

ATTEST:

JOSE ELOY PULIDO, County Clerk  
Hidalgo County, Texas



By: Aaron Betancourt  
AARON BETANCOURT, Deputy