

The Honorable J. Edgar Ruiz, County Judge, called this meeting to order, whereupon the following items were had to wit:

CONSENT AGENDA

ITEM 1. APPROVAL OF BILLS - COUNTY AUDITOR

| | |
|-------------------------|------------------------------------|
| GENERAL FUND - | #120892 - #121056 - \$1,561,287.91 |
| SPECIAL REVENUE FUND - | #120438 - #120611 - \$ 711,923.05 |
| TRUST AND AGENCY FUND - | # 5522 - # 5523 - \$ 351,320.28 |
| ENTERPRISE FUND - | # 2690 - # 2693 - \$ 11,666.58 |

(SEE EXHIBIT A)

ITEM 2. APPROVAL OF MONTHLY FEE REPORTS:

- A. JUSTICE OF THE PEACE:
 - 1. ESPIRIDION JACKSON - \$ 2,574.00 - APRIL
 - 2. ADAN CABALLERO - \$ 3,702.98 - APRIL
- B. LAW LIBRARY - \$ 1,628.10 - APRIL
- C. DISTRICT CLERK - \$138,353.00 - APRIL

(SEE EXHIBIT B)

ITEM 3. PLANNING DEPARTMENT:

- A. SUBDIVISIONS:
 - 1. CROWN POINTE ESTATES PHASE II - PCT. 2

(SEE EXHIBIT C)

ITEM 4. PERMITS:

- A. SOUTHWESTERN TELEPHONE COMPANY - PCT. 1
- B. NORTH ALAMO WATER SUPPLY CORP. - PCT. 2

(SEE EXHIBIT D)

ITEM 5. INTERNAL LINE ITEM TRANSFERS:

| | |
|---|----------------|
| A. COUNTY COURT AT LAW #4 | - \$ 633.17 |
| B. PRECINCT 4 - ADMINISTRATION | - \$ 1,500.00 |
| C. PERSONNEL DEPARTMENT | - \$ 71.00 |
| D. HIDALGO COUNTY LIBRARY SYSTEM | - \$ 300.00 |
| E. ADULT PROBATION - COMMUNITY CORRECTIONS - STATE FUNDS | - \$ 4,800.00 |
| F. ADULT PROBATION - RESTITUTION CENTER - STATE FUNDS | - \$ 1,000.00 |
| G. ADULT PROBATION - EDUCATION & EMPLOYMENT - STATE FUNDS | - \$ 300.00 |
| H. PRECINCT 2 - PARKS | - \$ 1,400.00 |
| I. PRECINCT 2 - PAVED/UNPAVED ROADS | - \$ 20,000.00 |
| J. PRECINCT 3 - PAVED/UNPAVED ROADS | - \$ 4,000.00 |
| K. PRECINCT 3 - PARKS | - \$ 3,000.00 |
| L. BUILDINGS AND GROUNDS | - \$ 1,000.00 |
| M. COUNTY TREASURER | - \$ 665.00 |
| N. PLANNING DEPARTMENT | - \$ 200.00 |

(SEE EXHIBIT E)

Judge Ruiz opened this Commissioner's Court meeting by asking if there were any additions, deletions or questions on the Consent Agenda as presented. There being none, 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-E)**

EXECUTIVE AGENDA

ITEM 1. CLOSED SESSION:

COMMISSIONER'S COURT MAY GO INTO CLOSED SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE, SECTIONS 551.071 TO DISCUSS THE FOLLOWING MATTER:

A. LITIGATION:

- 1. PENDING POTENTIAL LITIGATION - ADCOX VS. HIDALGO COUNTY**
- 2. EQUAL OPPORTUNITY COMMISSION - ALSBURY VS. OET (EEOC)**

At this time, The Commission retired into Executive Session.

ITEM 2. OPEN SESSION:

A. LITIGATION:

- 1. PENDING POTENTIAL LITIGATION - ADCOX VS. HIDALGO COUNTY**
- 2. EQUAL OPPORTUNITY COMMISSION - ALSBURY VS. OET (EEOC)**

2A1&2

NO ACTION

ITEM 3. CLOSED SESSION:

COMMISSIONER'S COURT MAY RECONVENE INTO CLOSED SESSION FOR THE DISCUSSION REGARDING THE AGENDA ITEMS LISTED

ITEM 4. OPEN SESSION:

COMMISSIONER'S COURT MAY RECONVENE INTO CLOSED SESSION FOR THE DISCUSSION REGARDING THE AGENDA ITEMS LISTED

REGULAR AGENDA

ITEM 1. APPOINTMENT OF:

- A. BOND COUNSEL**
- B. FINANCIAL ADVISOR**

1A&B

Judge Ruiz opened by stating that this was related to possibly going to the financial market in the very near future for some funds necessary by the County. He is now recommending McColl, Parkhurst, Horton for Bond Counsel and First Southwest Company as the Financial Advisor. A motion was then made by Commissioner Garces and was seconded by Commissioner Sanchez to approve bond counsel appointment for Adcox vs. County of Hidalgo, McColl, Parkhurst, Horton, Mr. Peter Tark and Financial Advisor, First Southwest Company, Mr. Chris Vela.

***MOTION CARRIED
(NO EXHIBIT)***

ITEM 2. HEALTH DEPARTMENT:

- A. APPROVAL AND APPROPRIATION OF PROGRAM INCOME FOR:**
 - 1. CORE**
 - 2. COPC**
 - 3. ACDCP**
 - 4. HIV**
 - 5. T.B. CONTROL**

6. **T.B. ELIMINATION SERVICES**
7. **IMMUNIZATION DIVISION**
8. **IMMUNIZATION SERVICES**
9. **OFFICE OF REGIONAL PROGRAMMING**

2A1-9

Dr. Omar Garza opened by stating that this was similar to the presentation made the previous week. The only difference was that the previous week, it was related to title V and this week, it is related to the rest of the departments listed above. He would like to include a 7% increase to the supplement of the employees that fall under these grants. They have not received one at the beginning of the year. This will come from co-pay. The percentage will not be of the whole salary, but only of their supplement. The total sum of this will be \$156,173.56. After further comments, a motion was then made by Commissioner Garces and was seconded by Commissioner Sanchez to authorize a 7% increase of the supplement for the employees who are on the following grant programs under the Health Department: CORE, COPC, ACDCP, HIV, T.B. CONTROL, T.B. ELIMINATION SERVICES, IMMUNIZATION DIVISION, IMMUNIZATION SERVICES, OFFICE OF REGIONAL PROGRAMMING.

***MOTION CARRIED
(SEE EXHIBIT F)***

ITEM 3. WIC:

- A. **CREATE POSITIONS AND SET SALARIES**
- B. **APPROVAL OF LEASE BETWEEN FIRST AMERICAN REALTY COMPANY AND HIDALGO COUNTY WIC PROGRAM**

3A

Norma Longoria addressed the Court and stated that the WIC program had been awarded \$161,889 for expansion. The money was to be used to hire personnel and buy equipment for the expansion project of a new clinic in Edinburg and the mobile clinic. Up until now, she has not created the positions and that is the reason she is here now. She would like to create 13 positions to go from June thru September 30. Judge Ruiz recited the positions as per the exhibit and he recommended this. A motion was then made by Commissioner Rosel and was seconded by Commissioner Arcaute to create 13 new positions under WIC of which the proposed annual salaries are scheduled. Cleaning Aide, \$10,400, Clerical positions, \$10,400, Clinic Aide, \$12,600, Nutritionist, \$25,900, part-time Cleaning Aide, \$4,940, Mobile Clinic Coordinator and Driver, \$19,000 and Assistant Director, \$35,000. Those are the salaries to be set.

***MOTION CARRIED
(SEE EXHIBIT G)***

3B

Ms. Longoria stated that this lease was for the Alamo clinic and the reason for it was because of expansion. There will now be two offices instead of one. This will be for 70 cents per square foot for 2800 square feet. The total amount will be \$1,960 per month. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve a lease between First American Realty Company and Hidalgo County WIC Program for two years at 70 cents per square foot for the WIC Clinic.

***MOTION CARRIED
(SEE EXHIBIT G)***

ITEM 4. JUVENILE PROBATION DEPARTMENT:

- A. **APPROVAL OF THE COMMUNITY DEVELOPMENT PROGRAM CONTRACT**

4A

Buddy Silva addressed the Court and stated that this request was for an agreement regarding the Community Youth Development Program. He stated that the funds for this were made available when the City of McAllen was identified as one of the top juvenile referral areas in the State. The moneys will be used to develop a program in which they use the Juvenile Court Conference Committee Program to provide additional Services. The amount available is \$16,849.41. Avance will be the contractor and the County will be the sub-contractor. This will be more of a subrecipient agreement. The services that will be provided will be the usual that are provided for Juvenile Offenders such as truants, runaways, class C and some class B offenders referred to the Department. They will have such things as one to one counseling and they will all have to abide by the rules set by the Court Conference Committee. Judge Ruiz asked Mr. Crain if he had gone through this contract and Mr. Crain stated that he has not except as they were talking about this contract. He understands it to be more of a reimbursement contract. They will submit their expenditures to Avance and Avance would in turn submit that to the State and they will wait on approval by the State. He went on to state that this was not a grant funds flowing but more of submit your expenses and wait for approval. If approval was not given by the State, they will not get reimbursed. Nick Molina addressed the Court and gave a brief run down as to how this funding came about. The State was hoping that a bank would be the fiscal agent but they could not get a bank to be the agent. As it turns out, Avance volunteered to be the Agent. Judge Ruiz was more curious as to how they were going to hire people with just the \$16,000. Mr. Molina stated to the Court that this was just for time remaining in this period. It is supposed to cover June, July and August but the contract was late in arriving. They are now shooting for July 1. If and when it approved again for the 1997 year, they will come before the Court for approval. Specifically, Judge Ruiz asked where the money would come from for the people to be paid being that this is a reimbursement type basis. Mr. Silva stated that he imagined that the money would come from the County. There was consensus among the Commission to table this item. Judge Ruiz stated that there would be no action on this item at this time until all questions are resolved.

NO ACTION
(SEE EXHIBIT H)

ITEM 5. AUTHORIZATION TO ENTER INTO CONTRACT WITH PROFESSIONAL APPRAISAL SERVICE - F.M. 1015 PROJECT

Vona Walker addressed the Court and stated that this was the firm that submitted the lowest proposal for conducting the appraisal of the 1015 relocation project. The amount was \$475 per appraisal. A motion was then made by Commissioner Rosel and was seconded by Commissioner Arcaute to authorize the entering into a contract with Professional Appraisal Services and the County of Hidalgo for appraisal services in the 1015 project. The cost per appraisal would be \$475 and anticipate 40.

MOTION CARRIED
(SEE EXHIBIT I)

ITEM 6. PCT. 2:

A. APPROVAL OF CHANGE ORDER TO DECREASE CONTRACT WITH MISSION PAVING

6A

Commissioner Arcaute stated that the original contract was \$71,279.19 and the decrease will be \$6,531.84 and he so moved to that effect. The motion to authorize the change order decreasing contract with Mission Paving was seconded by Commissioner Garces.

MOTION CARRIED
(SEE EXHIBIT J)

ITEM 7. PCT. 3:

A. RE-CLASSIFY POSITION 27 IN PCT. 3 PAVED/UNPAVED ROADS

7A

Commissioner Rosel stated that he wanted to re-classify this position, which is currently listed as a maintenance position, to a truck driver. There will be no changes in pay. He then made a motion and was seconded by Commissioner Garces to approve the reclassification of position 27 in pct. 3 paved/unpaved roads as presented.

**MOTION CARRIED
(SEE EXHIBIT K)**

ITEM 8. URBAN COUNTY:

- A. CITY OF HIDALGO - PROFESSIONAL SERVICE CONTRACT**
- B. CITY OF DONNA - APPROVAL OF SOUTH TEXAS UTILITIES CONTRACTOR**
- C. CHANGE ORDER - HIDALGO HEALTH CLINIC**
- D. CITY OF PALVIEW - CHANGE ORDER #1 VIC CONSTRUCTION**
- E. CITY OF PALMVIEW - CONTRACT AWARD - RIO VALLEY CONSTRUCTION COMPANY**
- F. ADOPTION OF RESOLUTION AUTHORIZING URBAN COUNTY DIRECTOR TO SIGN CONTRACTS**

8A

Raul Lozano opened by stating that this contract was for engineer services for the design of a water well and water storage tank. The amount will be \$9,650 and it will be with Melden and Hunt. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve a Professional Services Contract between the County of Hidalgo, City of Hidalgo and Melden and Hunt in the amount of \$9,650.

**MOTION CARRIED
(SEE EXHIBIT L)**

8B

Mr. Lozano stated that this contract was for water and sewer. This was the low bid submitted and has been approved by the City of Donna. The amount is \$178,878.74. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve a low bid to South Texas Utilities Contractor in the amount of \$178,878.74. This is for Water and Sewer improvements, City of Donna, County of Hidalgo.

**MOTION CARRIED
(SEE EXHIBIT L)**

8C

Mr. Lozano stated that this change order was for two contractors. Dovacor is for \$622.50 to remove and relocate an existing wall and Valley Air and Electric for \$275. The total amount of the change order is \$897.50. The changes came about because of some recommendations made by the WIC Program, which will be working out of this building. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the change orders increasing the Hidalgo Health Clinic sub-contracts.

**MOTION CARRIED
(SEE EXHIBIT L)**

8D

Mr. Lozano stated that this change order with VIC Construction will allow for disposing of the existing septic tanks at the fire station facility and placing new septic tanks in a different area as recommended by the Architect. The total amount is \$4,294.50. The new

contract amount is \$31,869.50. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve change order to approve change order #1 increasing the contract with VIC Construction by \$4,294.50.

MOTION CARRIED
(SEE EXHIBIT L)

8E

Mr. Lozano stated that this was a bid from Rio Valley for \$180,600. This will be for the Youth Center Project in the City of Palmview. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to award the bid to Rio Valley Construction in the contract amount of \$180,600. This is the low bid for the Youth Center in the City of Palmview, County of Hidalgo.

MOTION CARRIED
(SEE EXHIBIT L)

8F

Judge Ruiz stated that this was a request by Urban County. He stated that this was in relation to all the projects that are taking place in all the cities. The way it is now, when something is approved, Urban County has to wait on the County Judge to sign off on the contracts. Judge Ruiz is recommending that they pass this resolution so that the Director has the authority to sign these contracts. The contracts will still be approved by the Commission but Mr. Covacevich will be able to sign for them. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to adopt the resolution authorizing our Director of Urban County, Mr. Anthony Covacevich to sign contracts and related documents for programs covered under the County's consolidated plan only after Commissioner's Court approval.

MOTION CARRIED
(SEE EXHIBIT L)

ITEM 9. PLANNING DEPARTMENT:

A. PLAT APPROVAL:

1. **SANTA MARIA - PCT. 1**
2. **MAXIM - PCT. 4**
3. **SUMMERVIEW - PCT. 1**

B. FINAL PLAT APPROVAL WITH LETTER OF CREDIT:

1. **BROOK SUBDIVISION - PCT. 1**
2. **SPANISH PALMS - PCT. 1**

9A1

Emilio Garcia addressed the Court and stated that the previous week, the Commission had some questions with regards to the sewer lines in Progreso. Mr. Garcia clarified the fact that the nearest sewer lines were one mile from the subdivision. He again stated that the developer had completed all the improvements and he recommended the approval. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to approve Santa Maria Subdivision plat approval in Pct. 1 as presented.

MOTION CARRIED
(SEE EXHIBIT M)

9A2

Mr. Garcia stated that this subdivision has been approved by the City of Edinburg and all requirements have been met in accordance with the regulations. A motion was then made by Commissioner Garces and was seconded by Commissioner Sanchez to give plat approval to Maxim Subdivision in Pct. 4 as presented.

**MOTION CARRIED
(SEE EXHIBIT M)**

9A3

Judge Ruiz stated that Commissioner Arcaute will be handling this subdivision due to this subdivision being owned by his wife. He has filed an affidavit to that effect. Mr. Garcia stated that all improvements have been made. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

**MOTION CARRIED
(SEE EXHIBIT M)**

9B1

Mr. Garcia stated that the previous week, no action was taken on this subdivision due to the drainage being that this subdivision sits up above the rest of the road. He stated that he and Vona Walker conducted an on sight inspection. They found that the bar ditch that runs along mile 9 needed to be excavated. The developer informed them that he would do the excavation. Also, Ms. Walker recommended that a pipe be placed under the road so that the runoff water drained from Mile 9 east to the north side of Mile 9 on 6 ½. Commissioner Sanchez again reiterated what his concerns were and that was the height of this subdivision. They are proposing to cut an equalizer to the north and then to the east and that will get the water to the bar ditch and alleviate the drainage problem. The developer, Oscar Garcia, stated that he had a problem with this because of the cost to do this. He did not like the idea that he was being made to do this being that he had already been given preliminary approval. He did not feel that it was necessary to go through this expense because the volume of water was not that much. The Commission did not agree. After further brief comments, a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve this subdivision contingent on the drainage improvements proposed by the planning department. The discussion continued on in which Mr. Garcia was asked what his wishes were whether to reject or table this. He asked that this be tabled. Commissioner Sanchez then withdrew his original motion. After further comments, the original motion by Commissioner Sanchez and the second by Commissioner Garces to award final plat approval with letter of credit conditioned on the improvements to be made on drainage as recommended by the Planning Department was put to a vote and all voted in favor.

**MOTION CARRIED
(SEE EXHIBIT M)**

9B2

Mr. Garcia stated that this had been approved by the City of Weslaco and he recommended approval of this subdivision but before the release of the letter of credit, all street signs, traffic control devices, testing of the streets and the final letter from North Alamo Water has to be submitted. He also stated that the nearest sanitary sewer line was 3 miles away from this subdivision. Some questions arose concerning the roads around this subdivision. Mr. Garcia was not aware of this issue and he would like to table this until he can clarify this issue. After further comments, Judge Ruiz stated that there will be no action at this time.

**NO ACTION
(SEE EXHIBIT M)**

ITEM 10. PURCHASING DEPARTMENT:

A. AWARD BIDS:

1. **DATA PROCESSING - COMMUNITY SUPERVISION AND CORRECTION**

10A1

Martha Salazar opened by stating that there were two bids. She stated that one of the bids was only an estimation. ATE gave an estimation of 2 million dollars. The second bid was from the Rannette Company out of Edinburg for \$11,150 per month. This will cover the restitution and boot camp. There will be a one time charge of \$7,500 up front. She is and the department are recommending approval of the Rannette Company. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to award to the low bidder, which is Rannette Company out of Edinburg for a 3 year contract service agreement between the County of Hidalgo Adult Probation Department and Rannette Company. The amounts are \$7,500 time expenditure. \$1,800 per month at restitution and \$9,850 per month at boot camp.

***MOTION CARRIED
(SEE EXHIBIT N)***

ITEM 11. IMPACT COURT:

A. BUDGET AMENDMENT TO COVER ONE PAYROLL PERIOD

Martha Salazar stated that she is currently in the process of submitting all necessary paperwork to the CJD of the Governor's Office. The equal opportunity employment plan that was approved the previous week by the Court has been reviewed by the Governor's Office and it was found to need one more document which was a chart of underutilization of County Wide labor force. She went on to state that because the way the situation is with the grant is, they are in need of a budget amendment to cover one pay period. The amount needed is \$6,001.20 to cover this pay period and is inclusive wages and fringes. After further comments, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve a budget amendment to cover a payroll period in the Impact Court in the amount of \$6,001.20.

***MOTION CARRIED
(NO EXHIBIT)***

ITEM 12. COUNTY TREASURER:

A. BUDGET AMENDMENT - 2.125 TO MODIFY COMPUTER PROGRAMMING WORK

12A

Norma Gonzalez addressed the Court and stated that this request was to comply with the recommendations made by John Sharp's Review. This is to interface with the Auditor's computer and automate the receipt program. The amount originally being requested was \$2,125 has changed since here and Steve Austin sat down and discussed this issue. She will need an additional \$1,100. After further brief comments, a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve a budget amendment for the County Treasurer's Office in the amount of \$3,225 for modification of computer programming software.

***MOTION CARRIED
(SEE EXHIBIT O)***

ITEM 13. ADULT PROBATION:

A. BUDGET AMENDMENT - \$27,488 - STATE FUNDS

13A

Joe Lopez addressed the Court and stated that the amount of this request was for \$27,488. The breakdown for this will be to increase the overtime line item by \$15,000. The reason for this increase is because of the instructors for the alcohol program. They are the only ones working any overtime and it was approved by the Commission going into this budget. They are also have to have more classes than anticipated. \$1148 more will be for social security, \$1,050 for retirement and \$9,090 for unemployment. The last \$1,200 will be for data processing imaging. This is because of an error on Mr. Lopez' behalf. These monies are coming from an

increase in revenues. After further comments, a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve a budget amendment for Adult Probation to reflect the increase in revenues by \$125,093 and also reflect the increase in expenditures of \$26,288 in salaries and fringe benefits plus \$1200 in Facilities, Utilities and Equipment.

***MOTION CARRIED
(SEE EXHIBIT P)***

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

MOTION CARRIED

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

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

DRAINAGE DISTRICT

ITEM 1. PERMITS - CITY OF EDINBURG

A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to approve the permit request by the City of Edinburg as presented.

***MOTION CARRIED
(SEE EXHIBIT Q)***

ITEM 2. APPROPRIATE PROCEEDS FROM INSURANCE COMPANY AND WILLACY COUNTY DRAINAGE DISTRICT #1

Ms. Walker stated that this was the quarterly check for the first quarter and it is from Willacy County in the amount of \$11,617.07. She would like this appropriated into item 36, other repairs and maintenance and there is also a check for \$3,669.15 for an accident and it will go into line item 64 for the repair cost to the vehicle. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve an appropriation of \$11,617.07 to item 36 and an appropriation of \$3,669.15 to item 64 in Drainage District.

MOTION CARRIED

A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to adjourn the Drainage District #1.

MOTION CARRIED

THERE BEING NO FURTHER BUSINESS TO COME BEFORE THIS DRAINAGE DISTRICT BOARD, THIS MEETING STANDS ADJOURNED.