

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 -	#121057 - #121300 -	\$386,140.69
SPECIAL REVENUE FUND -	#120612 - #120818 -	\$259,266.40
TRUST AND AGENCY FUND -	# 5524 - # 5551 -	\$656,639.60
ENTERPRISE FUND -	# 2694 - # 2795 -	\$ 2,182.20

(SEE EXHIBIT A)

ITEM 2. APPROVAL OF ATTORNEY'S FEES - \$49,332.50

(SEE EXHIBIT B)

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:

- A. JUSTICE OF THE PEACE:
 - 1. JESUS MORALES - \$ 7,431.21 - APRIL
 - 2. ROSA TREVINO - \$ 11,950.52 - APRIL
- B. DISTRICT CLERK - \$129,365.35 - MAY

(SEE EXHIBIT C)

ITEM 4. APPROVAL OF COURT REPORTER'S FEES:

A. JENNIFER K. O'NEALL -	\$ 1,484.00
B. FRANCISCO B. MORENO-	\$10,360.00
FRANCISCO B. MORENO-	\$ 2,112.00

(SEE EXHIBIT D)

ITEM 5. PLANNING DEPARTMENT:

- A. SUBDIVISIONS:
 - 1. KINGS VILLAGE - PCT. 1
 - 2. VILLA DEL REAL - PCT. 2
 - 3. GIRASOL ESTATES - PCT. 3
 - 4. HACIENDA DEL BRONCO UNIT NO. 3 - PCT. 4
 - 5. MADISON PARK PHASE 2 - PCT. 4
 - 6. EXPRESSWAY BUSINESS PARK PHASE IV - PCT. 3

(SEE EXHIBIT E)

ITEM 6. INTERNAL LINE ITEM TRANSFERS:

A. ADULT PROBATION -	\$ 300.00
B. ADULT DETENTION FACILITY -	\$19,985.00
C. HEALTH DEPARTMENT - CLINICS-	\$ 2,000.00
D. HEALTH DEPARTMENT - MOBILE CLINIC -	\$ 1,400.00
E. DISTRICT ATTORNEY - BAD CHECKS -	\$ 500.00
F. DISTRICT ATTORNEY - INV. FUND -	\$ 539.00
G. 139 TH DISTRICT COURT -	\$ 1,000.00
H. SHERIFF'S DEPARTMENT -	\$ 3,000.00
I. CONSTABLE PCT. 4 -	\$ 233.80
J. COUNTY CLERK - RECORDS MGMT. -	\$ 350.00
K. PCT. 3 - ADMINISTRATION -	\$ 700.00
L. PCT. 4 - ADMINISTRATION -	\$ 1,500.00
M. PCT. 4 - PAVED/UNPAVED -	\$18,000.00
N. ELECTIONS DEPARTMENT -	\$ 500.00

(SEE EXHIBIT F)

Judge Ruiz opened the meeting by asking if there were any additions, deletions, questions or comments on the Consent Agenda. There being none, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the Consent Agenda as presented.

***MOTION CARRIED
(SEE EXHIBITS A-F)***

REGULAR AGENDA

ITEM 1. APPROVAL OF APPLICATION & CERTIFICATE FOR PAYMENT NO. 2 - CONSTRUCTION FOR 13TH COURT OF APPEALS

Judge Ruiz stated that Mrs. Etnire had requested a no action on this issue. He addressed an issue in which the Court had placed an amount of money for cash flow purposes. He wanted to know if that money had been expended. Mrs. Etnire stated that what the problem was, was that they were short approximately \$4,000 to make this payment. Judge Ruiz requested from Mrs. Etnire to ask the architect for a cash flow analysis for the construction so that they can better determine what monies need to be appropriated. At this point, Judge Ruiz stated that there will be no action.

***NO ACTION
(SEE EXHIBIT G)***

ITEM 2. RAMIRO M. GUERRA YOUTH VILLAGE:

A. APPROVAL OF PILOT PROGRAM BETWEEN CHARTER PALMS BEHAVIORAL HEALTH SYSTEMS AND HIDALGO COUNTY RAMIRO M. GUERRA YOUTH VILLAGE.

2A

Mario Ramirez stated that this was a contract that had been drawn up the previous week and there was a correction. He stated that the correction was on the billing part where the bills will be sent to Mr. Ramirez and he then sends them to Steve Austin. Fred Biel addressed the Court and stated that this contract had been drawn up by David Girault and he was unable to say why Mr. Girault included Steve Austin's name. He did state however, that where it went before it got the Auditor's Office, it was just a matter of County Policy. Judge Ruiz did agree that an invoice should go the Auditor's Office but he did not know what Steve Austin would require for payment of this invoice. Steve Austin then addressed the Court and stated that what would be required is some type of certification from Mr. Martinez that the services have been rendered. He also stated that the means for this certification could be the invoice going through the department, the Director then authorizing payment and forwarding the invoice to the Auditor's Office. In his words, this would save a week or two in payment process. A motion was then made by Commissioner Garces. Judge Ruiz asked what there services conducted were and Mr. Billy Olivarez stated they will offer the Youth Village a curriculum for substance abuse counseling. They will also provide a counselor that is licensed through the State to provide this counseling. After further brief comments, Commissioner Rosel seconded the motion to approve the contract as corrected.

***MOTION CARRIED
(SEE EXHIBIT H)***

**AT THIS TIME, JUDGE RUIZ STATED THAT HE WILL SKIP ITEM 3 AND TAKE IT UP
WITH THE EXECUTIVE SESSION AT A LATER TIME.**

ITEM 4. ELECTIONS ADMINISTRATION:

A. APPROVAL OF MAINTENANCE SERVICE AGREEMENT BETWEEN ARNOLD BARNES ASSOC. INC. & HIDALGO COUNTY ELECTIONS DEPARTMENT SERVICE AGREEMENT FOR 1996

4A

There was noone present from the Elections Administration and the Commission did not know what this was about. He requested that Mrs. Etnire send a letter to Mr. Perez and state that there was no action taken due to noone being present and there being no backup information. He also wanted it known to not place anything on the agenda unless there was backup information.

**NO ACTION
(SEE EXHIBIT I)**

ITEM 5. COMBINED TASK FORCE GRANT

A. DISTRICT ATTORNEY:

- 1. **APPROVAL OF BUDGET APPROPRIATION FOR THE COMBINED TASK FORCE GRANT - FOUR MONTH PERIOD**
- 2. **SET SALARIES - FOUR MONTH PERIOD**
- 3. **APPROVAL OF INTERLOCAL AGREEMENT - FOUR MONTH PERIOD**

B. SHERIFF'S DEPARTMENT:

- 1. **APPROVAL OF BUDGET APPROPRIATION FOR THE COMBINED TASK FORCE GRANT - FOUR MONTH PERIOD**
- 2. **SET SALARIES - FOUR MONTH PERIOD**
- 3. **APPROVAL OF INTERLOCAL AGREEMENT - FOUR MONTH PERIOD**

5A1,2&3

Roy Casarez that this grant was for only four months. The reason for the short period, is due to the National Budget not being approved. He stated that there was a letter from the City of McAllen stating that they can anticipate a 12 month budget being approved within the next 30 days. The total amount for the portion of the D.A. is \$27,483 and it will fund an Assistant D.A. and a Secretary slot. Judge Ruiz was wondering if there was an increase for these two positions and Mr. Casarez stated that there was but they would not see the increase. They just asked for an increase to have in the budget for the future. It will also apply to the Sheriff's Department portion of this grant. A motion was the made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the Interlocal Agreement for a four month period which is what was funded, approving the budget of \$27,483 and setting salaries the same as last year.

**MOTION CARRIED
(SEE EXHIBIT J)**

5B1,2&3

Emilia Uriegas opened by stating that they have five investigator positions and one secretarial positions. A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve the Interlocal Agreement for a four month period, setting the budget at \$82,921 and approving salaries for five investigators and one secretary.

**MOTION CARRIED
(SEE EXHIBIT J)**

ITEM 6. SHERIFF'S DEPARTMENT:

- A. APPROVAL OF FEDERAL EQUITABLE SHARING AGREEMENT BETWEEN HIDALGO COUNTY SHERIFF'S DEPARTMENT AND FEDERAL GOVT.**

6A

Roy Quintanilla addressed the Court and stated that this agreement is in the amount of \$10,539.74. He stated that they had file a seizure with the IRS in 1992 and this is the portion of the Sheriff's Department. There needs to be Court approval in order to expend the funds. They are in receipt of these funds and they are in the General Fund under special revenues. A motion was then made by Commissioner Garces and was seconded by Commissioner Arcaute to authorize the County Judge to sign and approve the Federal Equitable Sharing Agreement between the Sheriff's Department and the Federal Government in the amount of \$10,539.74.

**MOTION CARRIED
(SEE EXHIBIT K)**

ITEM 7. JUVENILE DETENTION FACILITY:

A. APPROVAL OF COMMUNITY DEVELOPMENT PROGRAM CONTRACT

7A

**NO ACTION
(SEE EXHIBIT L)**

ITEM 8. PCT. 1:

**A. ENTER IN A JOINT VENTURE PROJECT AGREEMENT WITH COLONIA
ELIZABETH LOCATED MILE 2 ½ EAST BY 8 NORTH, MERCEDES TEXAS**

8A

**NO ACTION
(SEE EXHIBIT M)**

ITEM 9. PCT. 3:

A. DECALRE EQUIPMENT SURPLUS

9A

Commissioner Rosel stated that he would like to declare this equipment surplus from the park inventory. It is as per the exhibit attached from a fork lift to tire tubing. He would also like to surplus a tractor with shredder. These items are inoperable. He then made a motion and was seconded by Commissioner Garces to declare equipment surplus in parks, pct. 3 and road and bridge, pct. 3.

**MOTION CARRIED
(SEE EXHIBIT N)**

**ITEM 10. AUTHORIZATION TO PROHIBIT OR RESTRICT THE USE OF FIREWORKS IN
HIDALGO COUNTY - UNINCORPORATED AREAS**

Judge Ruiz opened by stating that they had received some questions by concerned residents in the rural areas of the County in reference to fireworks. This stems from the drought conditions currently plaguing the County. They asked Legal Counsel, Fred Biel, to review some options they have in this situation. Fred Biel addressed the Court and stated that they have identified 3 different possibilities for the Court to consider. 1) There is statute that was enacted in 1991 which allows the court to prohibit the use of aerial fireworks to one location designated by the Court in the unincorporated areas. This statute requires that the Court act before June 15 for the July fireworks season. 2) Allows the Court to prohibit the use, transportation or sale of explosives. 3) They can ask the Governor of Texas under his powers and under the Texas Disaster Act to declare that fireworks are not only prohibited from use but from sale due to the disaster the Governor has declared in all Counties of the State based on the drought conditions. Ramiro Gonzalez, Jr. Addressed the Court on behalf of some of the local vendors of fireworks.

He stated that his association has decided to pull off all stick rockets and missiles. Even if it did rain, they would still keep those items off the shelves. Mr. Gonzalez' definition of aerial fireworks is anything that goes up in the air. Their biggest problem with these fireworks is that they go a long way and there are no means of being controlled. He also stated that they could work with the Commission with regard to finding a safe area to ignite fireworks. All stands will also be passing out flyers with safety tips on fireworks. There are some other fireworks that do go up in the air but with the exception of stick rockets and missiles, they extinguish before they come down and hit the ground and they will not travel very far. Mr. Biel stated that the definition of aerial fireworks under the State Act is tied to a Federal Regulation that regulates the sale of fireworks nationwide. At this time, they do not have the actual definition but he would be able to get it. Commissioner Sanchez then entered the discussion and stated that being that he association has already said that they will not be selling these types of fireworks, there is no reason for this but Mr. Biel; stated that it would voluntary on the part of the Association and if someone violates this, there is no authority to impose any kind of penalty because this would not be adopted and it would need to be adopted if there is to be any type of penalty. Moreover, Judge Ruiz wanted to hear that definition to provide peace of mind and clarify further what is meant by aerial fireworks.

AT THIS TIME, THE COMMISSION MOVED ON WITH THE AGENDA TO ALLOW MR. BIEL TIME TO OBTAIN THIS CLARIFICATION

ITEM 11. COUNTY COURT AT LAW #1:

A. LINE ITEM TRANSFER:

B. BUDGET AMENDMENT - \$1,500 - OFFICE EQUIPMENT

11A

Judge Ruiz stated that what was being requested here was a transfer of \$1,500 from salaries to contractual services and the second request is a budget amendment in the amount of \$1,500 for office equipment. A this time, they are taking up the line item transfer. This is will be hire a Court Reporter under contract being that their current reporter is out on leave. According to the request, this will be for 5 to 6 weeks. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to transfer from 03 to 82 an amount of \$1,500.

MOTION CARRIED

(SEE EXHIBIT O)

11B

The Commission discussed what this request was about but there was some confusion as to what exactly was being requested. After brief comments, the Commission concluded that they wait until further explanation. A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to table.

MOTION CARRIED (TABLED)

(SEE EXHIBIT O)

ITEM 12. COUNTY AUDITOR:

BUDGET AMENDMENT - \$4,000 (OFFICE EQUIPMENT)

A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to approve a budget amendment of \$4,000 to the Auditor's Office for the purchase of upgrading computer equipment.

MOTION CARRIED

(SEE EXHIBIT P)

ITEM 13. URBAN COUNTY:

- A. **CITY OF EDCOUCH - SUBRECIPIENT AGREEMENT BETWEEN HIDALGO COUNTY, CITY OF EDCOUCH AND DELTA AREA DEVELOPMENT CORPORATION**
- B. **CITY OF PENITAS - PROFESSIONAL SERVICES CONTRACT FOR ENGINEERING**
- C. **HOME/HOMEOWNER OCCUPIED HOUSING REHAB. APPLICATION**
- D. **HOME PROGRAM - TERMINATION OF CHDO CONTRACT SOUTH TEXAS RURAL DEVELOPMENT CORPORATION**

13A

Anthony Covacevich stated that this agreement is in the amount of \$35,000. It is an Economic Development Technical Assistance Agreement. A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute for discussion. Judge Ruiz wanted to know who was in the Delta Lake Development Corporation. Mr. Covacevich stated that it was La Villa, Edcouch and Elsa. The Executive Director is Tony Barco. The agreement will specifically be to create 15 new jobs. After further comments, the motion to approve the Subrecipient Agreement of \$35,000 with the City of Edcouch, Delta Area Development Corporation and the County of Hidalgo was put to a vote and all voted in favor.

**MOTION CARRIED
(SEE EXHIBIT Q)**

13B

Mr. Covacevich stated that this contract will with Hinojosa Engineering for \$2,160. This will be for Zamora Street and an unnamed street. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the appointment of Hinojosa Engineering as Professional Services for the County of Hidalgo and the City of Penitas paving project.

**MOTION CARRIED
(SEE EXHIBIT Q)**

13C

Mr. Covacevich stated that this was just one applicant from the City of Hidalgo for \$12,000 rehab and he recommended approval. A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to approve home owner occupied housing rehab case #HD 35-95-14 as presented.

**MOTION CARRIED
(SEE EXHIBIT Q)**

13D

Mr. Covacevich stated that this contract termination was with South Texas Rural Development Corporation. He stated that they have not lived up to their contract and they have expended \$3,335 out of \$50,000. This organization has taken over a year so spend this amount and they feel that this is too slow. After further comments, a motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to authorize the termination of a contract between South Texas Rural Development Corporation and the County of Hidalgo in reference to the Community Housing Development Organization funds.

**MOTION CARRIED
(SEE EXHIBIT Q)**

ITEM 14. PLANNING DEPARTMENT:

- A. **SUBDIVISIONS:**
 - 1. **LOS MONTES - PCT. 1**

2. **ONA GRANDE ESTATES UNIT NO. 2 - PCT. 1**
3. **KUTUGATA SUBDIVISION - PCT. 1**
4. **MILAGRO ESTATES - PCT. 2**
- B. **PRELIMINARY PLAT APPROVAL:**
 1. **HAZELWOOD SUBDIVISION - PCT. 1**
- C. **FINAL PLAT APPROVAL:**
 - 1 **REYNA OFFICE PARK UNIT #1 - PCT. 1**

14A1

Emilio Garcia, Chief Planner, stated that all requirements had been met and he recommended approval of this subdivision. Upon his recommendation, a motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to give approval to Los Montes Subdivision in Pct. 1 as presented.

MOTION CARRIED
(SEE EXHIBIT R)

14A2

Mr. Garcia stated that this subdivision was in the ETJ of the City of Weslaco and has been approved by the City and their planning and zoning department. This subdivision also meets with the approval of the County Planning Regulations. After further brief comments, a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve Ona Grande Estates Subdivision Unit No. 2 as presented.

MOTION CARRIED
(SEE EXHIBIT R)

14A3

Mr. Garcia recommended the approval of this subdivision as recommended by the City of Weslaco. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to approve Kutugata Subdivision in Pct. 1 as presented.

MOTION CARRIED
(SEE EXHIBIT R)

14A4

A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to approve Milagro Estates Subdivision in Pct. 2 as presented.

MOTION CARRIED
(SEE EXHIBIT R)

14B1

Mr. Garcia stated that this subdivision had met all requirements and recommended approval subject to street signs, traffic control devices, testing of the streets, final letter from North Alamo Water and the affidavit regarding the drainage facilities. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Arcaute to give preliminary plat approval to Hazelwood Subdivision in Pct. 1 as presented.

MOTION CARRIED
(SEE EXHIBIT R)

14C1

A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to give to give Reyna Office Park Subdivision final plat approval.

**MOTION CARRIED
(SEE EXHIBIT R)**

ITEM 15. PURCHASING DEPARTMENT:

A. REQUEST TO ADVERTISE:

1. **PURCHASE AND SUPPLY DEPARTMENT UNIFORMS - SHERIFF'S DEPT**
2. **INSTALLATION AND REMOVAL OF RADIO AND EMERGENCY ELECTRICAL EQUIPMENT FOR DEPARTMENT FLEET - SHERIFF'S DEPT.**
3. **TRASH COMPACTOR - PCT. 4**

15A1

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to authorize the advertisements for bids for purchase and supply department uniforms for the Sheriff's Department.

**MOTION CARRIED
(SEE EXHIBIT S)**

15A2

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the advertisements for bids for a one year contract for removal and installation of radio and emergency electrical equipment for vehicles in the Sheriff's Department.

**MOTION CARRIED
(SEE EXHIBIT S)**

15A3

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to authorize the advertisements for bids for the purchase of trash compactors. Bid opening July 10 and bid award July 16.

**MOTION CARRIED
(SEE EXHIBIT S)**

ITEM 16. OFFICE OF EMPLOYMENT AND TRAINING:

- A. PROPOSED AMENDMENTS TO THE COUNTY OF HIDALGO OFFICE OF EMPLOYMENT AND TRAINING - PRIVATE INDUSTRY COUNCIL PIC/CEO AGREEMENT**
- B. CONSIDER AND APPROVE SELECTION OF GED/OCCUPATIONAL SKILL SERVICE PROVIDERS FOR THE COUNTY OF HIDALGO OFFICE OF EMPLOYMENT AND TRAINING**

16A

Dick Dickinson stated that there were two proposed changes to the PIC/CEO agreement by the Mr. Adrian Arriaga. The first change is under the responsibilities associated with the function of the CEO and the other change is as it relates to the role and responsibility associated with the PIC. Under paragraph 1, the change is review and approve the training plans and administrative budget for the administrative entity in accordance with the PIC input and approval. He has changed the word **advice** from the original agreement to **approval** on the updated version. The second change is prepare the training plans and modifications this service delivery area with the advice and consent of the PIC and he has changed this to **advice and approval** of the PIC. Judge Ruiz did not agree with these changes and recommended the rejection of these changes. A motion was then made by Commissioner Arcaute and was

seconded by Commissioner Sanchez to reject the proposed amendment to the Private Industry Council/CEO agreement as presented.

MOTION CARRIED
(SEE EXHIBIT T)

16B

Dick Dickinson stated that this was the selection for the GED/Occupational Skill Service Provider. It is the recommended by the PIC Executive Committee, after receiving RFP's, that the entities as per the exhibit be approved. Judge Ruiz recommended the approval of this request. A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve the selection of GED/Occupational Skills Services Providers to the 5 recommended pending negotiation of contracts. **Commonwealth Community Service Inc., Edcouch-Elsa ISD, Progreso ISD, Region One and TSTC in Harlingen.**

MOTION CARRIED
(SEE EXHIBIT T)

ITEM 17. HEALTH DEPARTMENT:

- A. **ACCEPTANCE OF RESIGNATION OF DR. OMAR GARZA EFFECTIVE JUNE 15, 1996**
- B. **APPOINTMENT OF DR. CELESTINO AVILA AS MEDICAL DIRECTOR EFFECTIVE JUNE 15, 1996**

17A

Dr. Omar Garza thank the Court for the opportunity to work for the County and he proceeded to suggest some ways to improve the health problems in the County. After his brief comments, a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to accept the resignation of Dr. Omar Garza effective June 15, 1996.

MOTION CARRIED
(NO EXHIBIT)

17B

Judge Ruiz stated that he would like to recommend Dr. Celestino Avila for the appointment of Medical Director effective June 16, 1996. They will come back to Court with a negotiated contract as soon as it is finalized. As of now, this will be on an Interim basis. A motion was then made by Commissioner Sanchez and was seconded by Commissioner Arcaute to appoint Dr. Celestino Avila as Medical Director effective June 16, 1996 to the Hidalgo County Health Department.

MOTION CARRIED
(NO EXHIBIT)

EXECUTIVE AGENDA

ITEM 1. CLOSED SESSION:

COMMISSIONER'S COURT MAY GO INTO CLOSED SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE, SECTIONS 551.071 AND 551.074 TO DISCUSS THE FOLLOWING MATTER:

- A. **US DEPARTMENT OF JUSTICE VS. HIDALGO COUNTY - JUV. PROB. DEPT.**
- B. **ADCOX VS. HIDALGO COUNTY**

At this time, the Commission retired into Executive Session.

ITEM 2. OPEN SESSION:

- A. US DEPARTMENT OF JUSTICE VS. HIDALGO COUNTY JUV. PROB. DEPT.**
- B. DISCUSSION OF APPOINTMENT - AMERICAN DISABILITIES ACT COORDINATOR**
- C. ADCOX VS. HIDALGO COUNTY**

2A&B

Judge Ruiz opened by stating that they will be appointing and American Disabilities Act Coordinator which is in relation to the US Department of Justice. He is recommending the appointment of Martha Salazar. This appointment will be County Wide even though the litigation is reference the Juvenile Probation Department. A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to appoint Martha Salazar as the American Disabilities Act Coordinator as presented.

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

2C

Judge Ruiz stated that there was a resolution associated with this issue. He read this resolution verbatim as per the exhibit. A motion was then made by Commissioner Garces and was seconded by Commissioner Arcaute to approve the resolution on Adcox vs. County of Hidalgo agreeing to litigation settlement and authorizing Hidalgo County Texas General Obligation Refunding Bond Series 1996.

***MOTION CARRIED
(SEE EXHIBIT U)***

This item was inclusive item #3 of the regular agenda.

ITEM 3. RESOLUTION AGREEING TO LITIGATION SETTLEMENT AND AUTHORIZATION OF HIDALGO COUNTY TEXAS GENERAL OBLIGATION REFUNDING BOND SERIES 1996

AT THIS TIME, THE COMMISSION RETURN BACK TO ITEM 10 OF THE REGULAR AGENDA.

Fred Biel addressed the Court and stated that the definition of the State Statute is skyrockets with stick and other pyrotechnic devices that have fins or rudders for the purpose of achieving aerodynamic flight including devices that would be considered a missile or a rocket. The definition of the Federal Statute is skyrockets with stick totaled pyrotechnic composition not to exceed 20 grams each in weight with the inside tube diameter not to exceed 1/2 inch and the rocket sticks must be securely fastened to the tube. Mr. Biel stated that under subsection E, this is only enforceable if the County designates one safe area of appropriate size and accessibility where those aerial fireworks would not be prohibited. There are other sections that state where the vendor must post the designated area for these fireworks and also to allow for any violation as a class C misdemeanor. After further reiterating comments, Judge Ruiz recommended that Commissioner's Court authorize the resolution on the prohibition of aerial fireworks and restrict the use to areas to be designated jointly by the Association and the County. Mr. Gonzalez assured the Court that even though this order will allow for the sale of aerial fireworks, they will not sell them. Mr. Biel also reiterated that at least one safe area would have to be designated by June 15 and other can be designated at a different time. At this time, the Commission designated the 20 acres that is in front of Pct. 4 and the Drainage District, which would be the northwest corner of Doolittle and Schunior. Any other areas to be designated in the future can be done at another time. A motion was then made by Commissioner Sanchez and was seconded by Commissioner

Garces to authorize and approve a resolution prohibiting aerial fireworks and to restrict the use to particular areas, in particular site #1, the northwest corner of Schunior and Doolittle and other designated areas as approved by the County Judge. Judge Ruiz stated that they will apply this ruling solely to the 4th of July season in hopes that there is some rain between now and January 1.

***MOTION CARRIED
(SEE EXHIBIT***

A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to adjourn Commissioner's Court Agenda.

MOTION CARRIED

**THERE BEING NO FURTHER BUSINESS TO COME BEFORE THE COMMISSION,
THIS MEETING STANDS ADJOURNED.**