

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	- #124921 - #125110 - \$699,488.94
SPECIAL REVENUE FUND	- #124252 - #124519 - \$950,532.02
DEBT SERVICE FUND	- # 1040 - # 1041 - \$ 121.23
TRUST AND AGENCY FUND	- # 5865 - # 5867 - \$ 92,011.91
ENTERPRISE FUND	- # 2884 - # 2885 - \$ 45.11

(EXHIBIT A)

ITEM 2. APPROVAL OF MINUTES - APRIL 2, 1996

ITEM 3. APPROVAL OF MONTHLY FEES:

A. LAW LIBRARY - \$775.74 - SEPTEMBER

B. J.P.'S:

1. ARNALDO CORPUS	- \$ 2,039.09 - SEPTEMBER
2. RUBEN RAMOS	- \$ 6,446.77 - SEPTEMBER
3. ADAN CABALLERO	- \$ 4,458.20 - SEPTEMBER
4. ESPERIDION JACKSON	- \$ 5,647.20 - SEPTEMBER
5. JESUS MORALES	- \$ 7,548.00 - SEPTEMBER
6. ISMAEL OCHOA	- \$14,866.28 - SEPTEMBER
7. CHARLIE ESPINOZA	- \$27,112.40 - SEPTEMBER
8. ROSA TREVINO	- \$15,513.54 - SEPTEMBER
9. RENE TORRES	- \$15,847.50 - SEPTEMBER

(EXHIBIT B)

ITEM 4. COUNTY TREASURER:

A. THIRD QUARTER 1996 INVESTMENT REPORT

(EXHIBIT C)

ITEM 5. PLANNING DEPARTMENT:

A. SUBDIVISIONS:

1. COLINAS DEL RIO PHASE ONE	- PCT. 3
2. FOUCHER - MEYER	- PCT. 4
3. STONERIDGE BUSINESS PARK	- PCT. 4

(EXHIBIT D)

ITEM 6. PERMITS:

A. VALLEY TELEPHONE COOPERATIVE - PCT. 4

(EXHIBIT E)

ITEM 7. INTERNAL LINE ITEM TRANSFERS:

A. COUNTY AUDITOR	- \$ 4,733.21
B. HUMAN SERVICES	- \$ 450.00
C. J.P. PCT. 5, PL. 1	- \$ 1,437.22
D. ROAD & BRIDGE - PCT. 4	- \$ 3,099.00
E. COUNTY CLERK	- \$ 3,000.00
F. BUILDINGS AND GROUNDS	- \$ 3,943.72
G. LAW LIBRARY	- \$ 2,100.00
H. DISTRICT CLERK	- \$ 5,737.13
I. HEALTH DEPARTMENT (CO-PAY)	- \$14,209.58
J. PERSONNEL DEPARTMENT	- \$ 3,955.00
K. MASTER COURT 1	- \$ 90.00

L. COUNTY JUDGE	- \$ 1,350.00
M. BUILDINGS AND GROUNDS	- \$ 455.44
N. JAIL	- \$49,022.44

(EXHIBIT F)

Judge Ruiz opened by stating that there will not be a meeting the coming week which is the regular meeting. He was informed by Mrs. Etnire that there are only 3 requests for the agenda for that following Monday meeting. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the Consent Agenda as presented.**

MOTION CARRIED
(EXHIBITS A-F)

REGULAR AGENDA

ITEM 1. BUDGET AMENDMENT:

- A. COURT REPORTER FEES - \$2,853.00

ITEM 1 WAS TAKEN ALONG WITH ITEM 2.

ITEM 2. APPROVAL OF COURT REPORTER FEES:

- A. FRANSISCO MORENO - \$2,445.00
 B. BEN PETTY - \$408.00

1&2

A motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to approve the budget amendment and authorize the payment to Fransisco Moreno and Ben Petty.

MOTION CARRIED
(EXHIBIT G)

ITEM 3. TAX ASSESSOR/COLLECTOR:

- A. TAX REFUND:
 1. MARTIN P. GARZA JR. - \$622.32
 2. DAVID TANSEL - \$615.44
 3. ROBERTO SAUCEDO - \$1,521.88

3A1-3

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve tax refunds as presented.

MOTION CARRIED
(EXHIBIT H)

ITEM 4. APPROVAL OF NON FINANCIAL AGREEMENT - AREA AGENCY ON AGING - LOWER RIO GRANDE VALLEY DEVELOPMENT COUNCIL

Judge Ruiz stated that this was a non financial agreement. This agency helps the elderly in the County. Judge Ruiz is recommending the approval of this agreement. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.**

MOTION CARRIED
(EXHIBIT I)

ITEM 5. SHERIFF'S DEPARTMENT:

- A. APPROVAL TO PAY BILLS FOR BOARDING OF PRISONERS:**
1. **NUECES COUNTY - \$16,440.00**
 2. **VICTORIA COUNTY - \$15,922.44**
 3. **ATASCOSA COUNTY - \$16,660.00**

5A1-3

Joe Jackson stated that this might have taken care of on the Consent Agenda. Their original intent was to ask for some monies but they were able to identify some monies from their budget. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize payment to Nueces County, Victoria County, Atascosa County for payments of boarding of prisoners for the County of Hidalgo.**

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

ITEM 7. COUNTY CLERK:

- A. ELIMINATION OF POSITION #9**
- B. APPROVAL TO UPGRADE POSITIONS AND PROPOSED INCREASE ON 10 POSITIONS**

7A&B

Eloy Pulido stated to the Court that they have lost several employees to other entities because of the pay. He would like to increase some slots to give some employees an increase in hopes to keep them in his office. There was some confusion on two other positions which were to be addressed from the Records Management Budget being that they fall under the fund. To avoid the confusion, **Judge Ruiz recommended a motion to eliminate position #9 and upgrade by the recommended proposed increase slots 2,8,11,14,15,17,18,22,25,26. Commissioner Garces so moved and was seconded by Commissioner Sanchez and was put to a vote and all voted in favor.**

***MOTION CARRIED
(EXHIBIT J)***

They wanted to address the positions under records management but they were unable to being that they were not posted on the agenda. Mr. Pulido was instructed to come back to the Court the following week.

ITEM 6. JUVENILE PROBATION DEPARTMENT:

- A. APPROVAL OF THE TEXAS EDUCATION AGENCY APPLICATION FOR THE START UP FUNDING OF THE JUVENILE ALTERNATIVE EDUCATION PROGRAM - \$298,750**
- B. APPROVAL OF THE TEXAS JUVENILE PROBATION COMMISSION 1997 CHALLENGE GRANT - \$50,000**

6A

Buddy Silva stated that this money has been awarded to the department by the State. It is just a matter of submitting the application. These funds will be used for the STAR Program. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the TEA application for start up funds in the Juvenile Justice Alternative Education Program in the amount of \$298,750.**

***MOTION CARRIED
(EXHIBIT K)***

6B

Mr. Silva stated that in the past, the grant was matched by the County. The money has usually come from the Juvenile Probation Budget. This has been funded and this is the approval of the contract. **A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to approve a contract between the Texas Juvenile Probation Commission and the County of Hidalgo through it's Juvenile Probation Department for the challenge grant in the amount of \$50,000.**

**MOTION CARRIED
(EXHIBIT K)**

ITEM 8. PRESENTATION - MOBILITY TASK FORCE - RIO GRANDE VALLEY MOBILITY PLAN

**NO ACTION
(EXHIBIT L)**

ITEM 9. URBAN COUNTY:

- A. CITY OF LA VILLA - DRAINAGE IMPROVEMENTS YR. 5 & 9
- B. CITY OF WESLACO - WESLACO BOYS & GIRLS CLUB SUBRECIPIENT AGREEMENT
- C. HOME PROGRAM - APPROVAL TO ENTER INTO CONTRACTS WITH PROYECTO AZTECA HABITAT FOR HUMANITY, LA FRONTERA INITIATIVE AND MERCEDES AFFORDABLE HOUSING

9A

A motion was made by Commissioner Sanchez and was seconded are Commissioner Arcaute to approve the low bid as submitted by the City of La Villa for drainage improvements to South Texas Utility Contract, low bid being \$144,106.75.

**MOTION CARRIED
(EXHIBIT M)**

9B

Anthony Covacevich stated that this agreement was for \$110,000 for youth activities in the Weslaco. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the Subrecipient Agreement between Weslaco Boys and Girls Club, City of Weslaco, County of Hidalgo in the amount of \$110,000.**

**MOTION CARRIED
(EXHIBIT M)**

9C

Mr. Covacevich stated that this is for contracts with these three entities which have requirements. Upon the his recommendation, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve Azteca Habitat for Humanity, La Frontera Initiative and Mercedes Affordable Housing as CHDO's with the budgets as prescribed.**

**MOTION CARRIED
(EXHIBIT M)**

ITEM 10. CONSIDERATION OF INTERLOCAL COOPERATION AGREEMENT BETWEEN THE COUNTY OF HIDALGO, CITIES OF PHARR, EDINBURG, McALLEN & MISSION - I-

Anthony Covacevich addressed the Court and stated that this was a second contract. One had previously been approved in the amount of \$33,000 approximately. This contract is for \$21,500. This will be for bills that have been incurred. Judge Ruiz brought up the question of the \$33,000 not being paid. Mr. Covacevich confirmed this and stated that he felt that all requirements have been met. Judge Ruiz addressed Steve Austin in reference to this not being paid. Steve Austin stated that the reason for the hold up was that there was some question as to the legalities and they have since been clarified by legal counsel. Payment will be made. There is a case of reimbursables in the amount of \$6,545.97 that has not been addressed as of yet. Judge Ruiz wanted to know the length of the first agreement that was approved. Mr. Covacevich stated that there was no length to the previous agreement, it was just for certain tasks to be done and they have in completed. The second agreement is also asked oriented and there is no time limit. The work for this second contract has also been completed and Mr. Covacevich is now asking for approval of this agreement and also approval to pay bills. Judge Ruiz asked if this contract had previously been brought to Court and Mr. Covacevich stated that he was under the impression that it had been but it had not but the work has been done. The Commission all seemed to remember this issue coming up in the past. During further comments, Ernesto Silva addressed the Court and attempted to clarify the contracts. He stated that he believed that the first agreement was to get designated under the national highway system and the second task was to try to get funding for those improvements, which is the construction of I-69, which will go into 1997. Mr. Silva stated that if they stop now, all the previous work will be fruitless. Judge Ruiz wanted to know if they had to make this contract retroactive and whether there was any time limitations and maximums to the contract. Mr. Silva then intervened and stated that he would like to end this contract as of September 30th and come back in 1997 with a different contract redefining and getting all the cities on board again and have everyone sign on. He stated that the reason for this is because not everyone has paid their fair share and he does not want to continue carrying balances forward and having the city pay out. Judge Ruiz was more agreeable to this scenario. **Judge Ruiz then asked for a motion to authorize and agreement between the County of Hidalgo and Pharr Economic Development Corporation, McAllen, Mission and Edinburg, jointly known as South Texas Border Partnership, STBP, for consulting services. This contract amount is \$21,500 and to end September 30th 1996 and authorize payment as such. Commissioner Sanchez so moved and was seconded by Commissioner Garces.**

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

ITEM 11. PCT. 4:

- A. APPROVAL TO REIMBURSE MR. ANTONIO ENRIQUES FOR ESCROW MONIES - \$1,350 - PLANNING DEPARTMENT**

11A

Commissioner Garces stated that this was in relation to the delay in installing culvert pipes. Mr. Enriquez went ahead and installed the pipe himself because of this delay so that he could get his subdivision approved. The pipes were inspected by the Pct. 4 foreman and the lots will not be sold. **Commissioner Garces then made a motion and was seconded by Commissioner Rosel to authorize reimbursement to Antonio Enriquez, \$1,350.**

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

ITEM 12. PURCHASING DEPARTMENT:

- A. AUTHORIZATION TO ADVERTISE:**
- 1. QUOTES ON PROGRAMMING SERVICES - SHERIFF'S DEPARTMENT**
 - 2. STREET RECYCLING - SUGAR ROAD - PCT. 4**
 - 3. PAVING OWASSA ROAD - PCT. 4**

4. **PAVING SIX MILE LINE - PCT. 4**
- B. **AUTHORIZATION TO TERMINATE CONTRACT WITH SOUTHWESTERN BELL PAY TELEPHONE SYSTEM, INC. - JAIL**
- C. **AUTHORIZATION TO ADVERTISE FOR RFP - INMATE PAY TELEPHONE SERVICE - JAIL**

12A1

Martha Salazar addressed the Court and stated that this was for software for the Sheriff's Office. This would allow them to tap into the National Crime History Improvement Program. In order to tap into this system, their current computer system needs to be upgraded. She would like to obtain quotes for this upgrade. This service will be covered by a grant but the department will have to foot the bill for the acquisition of a printer. After further comments, **a motion was then made by Commissioner Sanchez and was seconded by Commissioner Garces to get quotes and authorize the advertisement for quotes on programming services for the Sheriff's Department contingent that it be allowed under contract.**

**MOTION CARRIED
(EXHIBIT P)**

12A2

Commissioner Garces stated that what they wanted to do was recycle the road material that was existing and make the road more viable. He stated that according to the State, this is a better method of paving. A certain machine will have to be used to do so. Commissioner Sanchez stated that they currently have a machine that he believes does that same work and he would be willing to loan it to the pct. Judge Ruiz suggested to Commissioner Garces that he look into borrowing this machine for it might save him some money. **Commissioner Garces asked for a no action to visit with Commissioner Sanchez about this machine.** The Commission did the math on this and the came to a figure of \$30,000 for half a mile. This was not feasible.

**NO ACTION
(EXHIBIT P)**

12A3

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to authorize the advertisements for bids for the paving of Owassa Road in Pct. 4 as presented.

**MOTION CARRIED
(EXHIBIT P)**

12A4

NO ACTION

12B

Mrs. Salazar stated that she is recommending the termination of this contract in an attempt to get better service. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the notice of terminate contract with Southwestern Bell Pay Telephone System at the County Jail as prescribed by contract.**

**MOTION CARRIED
(EXHIBIT P)**

12C

A motion was made by Commissioner Arcaute and was seconded by Commissioner Rosel to authorize the advertisements for proposals for inmate pay telephone services in the County Jail.

MOTION CARRIED
(EXHIBIT P)

ITEM 13. PLANNING DEPARTMENT:

- A. **SUBDIVISIONS:**
 - 1. **ROCK SUBDIVISION - PCT. 4**
 - 2. **WILLS SUBDIVISION - PCT. 4**
- B. **FINAL PLAT APPROVAL:**
 - 1. **TEXAS VALLEY ESTATES UNIT NO. 2 - PCT. 1**
 - 2. **ALVE SUBDIVISION - PCT. 4**
 - 3. **HIDALGO STAR UNIT NO. 2 - PCT. 3**
- C. **PLAT APPROVAL WITH LETTER OF CREDIT:**
 - 1. **MERCEDES ACRES NO. 2 - PCT. 1**

13A1

Emilio Garcia stated that this has met all the requirements of the County and the City of Edinburg. He is recommending approval of this subdivision. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve Rock Subdivision as presented.**

MOTION CARRIED
(EXHIBIT Q)

13A2

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve Wills Subdivision in Pct. 4 as presented.

MOTION CARRIED
(EXHIBIT Q)

13B1

Mr. Garcia stated that prelim approval had been given July 6. Since then, all improvements have been made. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to give final plat approval to Texas Valley Estates Unit 2 as presented.**

MOTION CARRIED
(EXHIBIT Q)

13B2

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to give final plat approval for Alve Subdivision.

MOTION CARRIED
(EXHIBIT Q)

13B3

Mr. Garcia stated that prelim approval was granted Sept. 3. All improvements have been completed. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to give final plat approval to the Hidalgo Star Unit No. 2 in Pct. 3 as presented.**

**MOTION CARRIED
(EXHIBIT Q)**

13C

Mr. Garcia stated that all requirements have been met in accordance to the City of Mercedes. There is a letter of credit in the amount of \$11,660 to extend the water line. No permits will issued until complete. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to give final plat approval with letter of credit to Mercedes Acres No. 2 in Pct. 1 as presented.**

**MOTION CARRIED
(EXHIBIT Q)**

ITEM 14. DISCUSSION ON EMPLOYMENT PROCEDURE PERSONNEL - OET AGENCY

Dick Dickinson stated that this was in relationship to their personnel whereby all the screening process for this department was going through the County Personnel Department. In the past, the agency would provide staff for the personnel to handle this chore. Mr. Dickinson stated that there might be some question as to whether this is an allowable cost under them as it relates to a JTPA employee having other duties other the JTPA duties, specifically helping Ms. Cortez with their duties. The guidelines for JTPA are very specific. **To avoid any problems in the future, they would like to move this employee to the main office for JTPA.** Judge Ruiz agreed with this although they still have to follow civil service rules. After further comments, **a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.**

**MOTION CARRIED
(NO EXHIBIT)**

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

MOTION CARRIED

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

DRAINAGE DISTRICT

REGULAR AGENDA

ITEM 1. DISCUSSION AND ACTION ON PROPOSED DRAINAGE IMPROVEMENTS AT THE NORTHWEST CORNER OF BUSINESS 83 AND JACKSON ROAD - JOINT PROJECT WITH THE CITY OF PHARR

Judge Ruiz briefed the Court on this project. This was in relation to the Albertsons store. This are will be a mini mall which will include Home Depot. In order for Home Deport to locate to this area, a drainage ditch will have to be covered up. Also, a portion of the County's right of way will have to be given to the developer. Home Depot has not yet signed a lease. Judge Ruiz feels that this might be one of the hurdles that is keeping them from signing. Ernesto Silva addressed the Court and stated that the reason why this will have to take place is because of the McAllen city limits at the south and north and to the east, there are transmission lines. The only way to do this is to move the building to the west. This would entail the reverting of the easement back to the

original owner. This agreement calls for the cooperation of the drainage district for 1/3 of the cost along with the developer and the city. Also, the drain ditch will have to be put in boxes under ground or this cannot take place. The total estimated cost for the 1040 ft is \$610,000. The estimated cost for the 600 ft. that is within the city limits is \$356,000 thus making the three way split approximately \$115,000. The economic impact would be approximately 300 jobs and also spur some additional development. Judge Ruiz clarified that the request by the City of Pharr is only for the 600 ft. The reason for this is because McAllen has not made any offer to participate on their portion which is 440 feet. **Judge Ruiz then recommended to the Court that they make a formal offer/commitment to participate on the 600 ft. of drain ditch covering with culvert within the City of Pharr with the understanding that the developer would foot 1/3 of the cost, the city 1/3 of the cost and the County Drainage District 1/3 of the cost. He also added the stipulation that there be a signed lease with Home Depot and also that the County Drainage District do the project.** Commissioner Arcaute stated that in one of his conversations with the engineer, the engineer stated that the City of McAllen was going to de-annex that portion of the ditch. Judge Ruiz asked Ms. Walker what the cost was when they purchased that easement and she stated that it was a minimal cost. **Judge Ruiz recommended to participate under 1/3,1/3 in burying of that ditch giving up that right of way on the 600 ft. as requested by the city at the estimated cost not to exceed \$610,000 and that it be contingent on getting a signed lease from Home Depot commitment to build and that we as a County Drainage District manage the project. The County will not acquire new property. Commissioner Arcaute so moved and was seconded by Commissioner Rosel.**

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

A motion was made by Commissioner Sanchez and was seconded by Commissioner Rose to adjourn Drainage District No. 1

MOTION CARRIED

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