

The Honorable J. Edgar Ruiz, County Judge, called this Commissioner's Court Meeting to order, whereupon the following items were had to wit:

### **EXECUTIVE AGENDA**

**ITEM 1. CLOSED SESSION:**

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

**A. LITIGATION:**

- 1. DECLARATORY JUDGMENT CAUSE #96-12008 - TAC VS. HIDALGO COUNTY AND HENRY ESCALON**

**B. PERSONNEL:**

- 1. DISCUSSION & POSSIBLE ACTION ON HIDALGO COUNTY HEALTH ADMINISTRATOR**

**At this time, the commission retired into executive session.**

**ITEM 2. OPEN SESSION:**

**A. LITIGATION:**

- 1. DECLARATORY JUDGMENT CAUSE #96-12008 - TAC VS. HIDALGO COUNTY AND HENRY ESCALON**

**B. PERSONNEL:**

- 1. DISCUSSION & POSSIBLE ACTION ON HIDALGO COUNTY HEALTH ADMINISTRATOR**

**2A  
NO ACTION  
(NO EXHIBIT)**

**2B**  
Judge Ruiz stated that he would like to take the recommendation of the advisory board to interview four individuals the following Tuesday. They will be Dora Val Verde, Dr. Jack Hays, Mr. James Michael Keenan and Mr. Antonio Cano. This will begin at 8:30 a.m. No further action was necessary.

**NO ACTION  
(NO EXHIBIT)**

### **CONSENT AGENDA**

**ITEM 1. APPROVAL OF BILLS - COUNTY AUDITOR**

GENERAL FUND	- #125334 - #125519 - \$1,076,872.49
SPECIAL REVENUE FUND	- #124786 - #124987 - \$1,546,938.29
TRUST AND AGENCY FUND	- # 5900 - # 5926 - \$ 405,867.20
ENTERPRISE FUND	- # 2913 - # 2928 - \$ 13,768.63

**(EXHIBIT A)**

**ITEM 2. APPROVAL OF MINUTES - APRIL 23, 1996**

**ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:**

- A. COUNTY CLERK - PART I - \$ 90,488.50 - OCTOBER
- B. COUNTY CLERK - PART II - \$121,415.72 - OCTOBER
- C. DISTRICT CLERK - \$230,431.88 - OCTOBER
- D. ANZALDUAS PARK - \$ 3,996.00 - OCTOBER

**(EXHIBIT B)****ITEM 4. PERMITS:**

- A. NORTH ALAMO WATER SUPPLY CORP. - PCT. 1
- B. SOUTHWESTERN BELL TELEPHONE CO. - PCT. 3

**(EXHIBIT C)****ITEM 5. PLANNING DEPARTMENT:**

- A. SUBDIVISIONS:
  - 1. CORDOVA ESTATES - PCT. 2
  - 2. SUGAR POINTE SUBDIVISION - PCT. 2

**(EXHIBIT D)****ITEM 6. INTERNAL LINE ITEM TRANSFERS:**

- A. PLANNING DEPARTMENT - \$ 1,386.00
- B. COUNTY COURT #2 - \$ 300.00
- C. ELECTIONS ADMINISTRATION - \$ 2,141.95
- D. COUNTY COURT #4 - \$ 421.96
- E. LIBRARY SYSTEM - \$ 250.00
- F. JUVENILE PROBATION - \$31,242.00
- G. JUVENILE PROBATION (ST. FUNDS) - \$16,000.00
- H. COUNTY JUDGE - \$ 1,303.92
- I. J.P. PCT. 4, PL. 1 - \$ 338.51
- J. PCT. 2 - ADMINISTRATION - \$ 200.00
- K. PCT. 2 - COUNTY WIDE SHOP - \$ 200.00
- L. ADULT PROBATION - COMMUNITY CORRECT. - \$ 3.00
- M. J.P. PCT. 3, PL. 1 - \$ 795.70
- N. DISTRICT ATTORNEY - \$ 4,525.00
- O. COUNTY AUDITOR - \$ 450.00
- P. COURTHOUSE SECURITY - \$ 820.12
- Q. HEALTH DEPARTMENT - CLINICS - \$12,000.00
- R. HEALTH DEPARTMENT - TB ELIMINATION GRANT - \$ 7,800.00
- S. HEALTH DEPARTMENT - CO PAY - \$12,541.28
- T. COUNTY COURT #3 - \$ 421.96
- U. PCT. 4 - PAVED/UNPAVED - \$47,000.00
- V. PURCHASING DEPARTMENT - \$ 831.79
- W. JAIL - \$60,000.00
- X. JAIL COMMISSARY - \$ 1,000.00
- Y. PARK - PCT. 1 - \$66,000.00

**(EXHIBIT E)**

Judge Ruiz stated that there would be a change to item 6H. The change in the amount and instead of it being \$943.92, it should be \$1,303.92. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to approve the consent agenda as amended.**

**MOTION CARRIED****(EXHIBITS A-E)****REGULAR AGENDA****ITEM 1. DISCUSSION & POSSIBLE ACTION - MOBILITY TASK FORCE**

Anthony Covacevich addressed the Court and briefed the Commission on a meeting that had taken place recently. He stated that this contract was in regards to the one that had just been terminated and this was to continue a new one so that they may continue lobbying efforts to attract more funds for the I-69 project. After further comments in which the Commission expressed their approval for this issue, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to pay the pro-rata share of 1,3&4 which is in the area of \$21,000.**

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

**ITEM 2. ELECTIONS ADMINISTRATION:**

- A. **CONSIDERATION FOR APPROVAL TO PAY OVERTIME**
- B. **LINE ITEM TRANSFER**

**2A**

Noe Perez stated that this was done between Oct. 16<sup>th</sup> and Nov. 1<sup>st</sup>. He had requested this over time prior to time worked. He had an estimate of \$6,011 but only part of that amount was actually worked.(\$3,833) **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to authorize the payment of overtime incurred by the elections administration staff for the General Election. The total amount of overtime is \$3,833.25.**

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

**2B**

This transfer is from contractual services to 04 which is overtime. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the line item transfer of \$3,833.25 from contractual services to the 04 category, salaries overtime.**

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

**ITEM 3. COURT REPORTER FEES:**

- A. **BUDGET AMENDMENT - \$499.00**
- B. **APPROVAL OF BILLS:**
  - 1. **MARK KVAPIL - \$406.00**
  - 2. **MEANETTE J. SALGADO - \$93.00**

**3A&B**

**A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve a budget amendment of \$499.00 to pay bill to Mark Kvapil and Meanette j. Salgado of \$93.00.**

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

**ITEM 4. ORDER/RESOLUTION - RETIREMENT PLAN CHANGES**

Judge Ruiz stated that they had received a memo stating that the County could change their plan if they wish. He did not feel that this needed to be changed. After further comments, a

**motion was made by Commissioner Rosel and was seconded by Commissioner Sanchez to approve an order and resolution asking that the retirement plan continue as previous.**

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

**ITEM 5. COUNTY AUDITOR:**

**A. AUTHORIZATION TO TRANSFER FUNDS**

**5A**

Steve Austin stated that these are monies that remained in the Federal Revenue Sharing Fund and the Voter Registration Fund in the amount of \$675.76 and \$9,609.39 and they go to the General Fund. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces authorize the transfer of Revenue Sharing Funds, \$675.76 and Voter Registration Funds, \$9,609.39 to the General Fund.**

***MOTION CARRIED  
(EXHIBIT I)***

**ITEM 6. URBAN COUNTY:**

- A. CITY OF ALTON - PARKS & RECREATION FACILITIES IMPROVEMENTS**
- B. CITY OF PENITAS/PCT. 3/MISSION PAVING CO. INC. - STREET IMPROVEMENTS PROJECT CHANGE ORDER #1**
- C. PROFESSIONAL SERVICES CONTRACT AMENDMENT - TEXAS DEPARTMENT OF HOUSING & COMMUNITY AFFAIRS - PLANNING/CAPACITY & BUILDING PROJECT**

**6A**

Anthony Covacevich stated that this change order was not in monetary figures. It is the scope of work. They will delete electrical wiring and adding lawn sprinkler and booster pump to the field. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize a deletion to the contract of Rio Valley Construction Inc. of \$19,913 deleting electrical wiring and leave the conduits in place complete for future installation and adding alternatives 5 & 5b which add to \$19,913.**

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

**6B**

Mr. Covacevich stated that this change order is a decrease in the amount of \$5,995.45. They will eliminate West St. due to right of way problems. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve a deduct of \$5,995.45 from the contract with Mission Paving, City of Penitas, County of Hidalgo.**

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

**6C**

Mr. Covacevich stated that this amendment is for the Fleamarket Colonia. This \$1,200 was approved the previous week for additional engineering services for an additional 30 ft. right of way that will now give the County a 60 ft. right of way. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve additional services to the contract of KK Engineering Consultants in the amount of \$1,200.**

***MOTION CARRIED***

**(EXHIBIT J)****ITEM 7. PCT. 4:****A. APPROVAL TO NAME UNNAMED DEDICATED COUNTY ROAD IN TRIPLE C SUBDIVISION****7A**

Commissioner Garces stated that there is petition for the naming of this road. They would like to name this road Mirasoles Drive. **He then made a motion and was seconded by Commissioner Arcaute to approve the naming of certain road in Triple C Subdivision as Mirasoles Drive.**

**MOTION CARRIED****(EXHIBIT K)****ITEM 8. HEALTH DEPARTMENT:****A. SANITATION DEPARTMENT:****1. BUDGET AMENDMENT - \$5,000****8A1**

Rudy De la Vina addressed the Court and stated that this was for the purpose of repairing a pickup that had been involved in an accident. It was used for animal control. It will cost \$4950 to make it operational again. **A motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to approve a budget amendment of \$5,000 to the sanitation department for the use of repairing a certain vehicle.**

**MOTION CARRIED****((EXHIBIT L)****ITEM 9. PCT. 3:****A. TO APPROPRIATE UNBUDGETED FUNDS****9A**

Commissioner Rosel stated that they will be taking \$12,504.69 and moving them to line item #6-730-431.210.92 to pay their portion of Mayberry Bridge project. This is in the form of a motion which was seconded by Commissioner Arcaute to approve Commissioner Rosel's request for the appropriation of unbudgeted funds.

**MOTION CARRIED****(EXHIBIT M)****ITEM 10. APPROVAL OF BUDGET AMENDMENT IN THE AMOUNT OF \$23,292. AND AUTHORIZATION TO ALLOCATE SAME TO MATCH GRANT FROM THE US DEPARTMENT OF JUSTICE**

Judge Ruiz stated that this grant was to create a criminal court. It had also been discussed that they wanted to try and run some Nisi's though this court as well as jail cases. The county received \$209,639 and the match is \$23,292. After further comments, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve a budget amendment of \$23,292 for the match grant necessary for the Department of Justice Enforcement Block Grant Program.**

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

**ITEM 11. PIC NOMINATION - PRIVATE SECTOR & ECONOMIC DEVELOPMENT**

Paul Vazaldua stated that there was a need for one private sector. The nominees are Suzanne Williams, Alida Hernandez and Tammy Cuellar. There was a refusal of one nomination by Robert Lozano. **Judge Ruiz then recommended Tammy Cuellar for the private sector and Rene Montalvo from the economic development. Commissioner Garces so moved and was seconded by Commissioner Arcaute.**

**MOTION CARRIED  
(EXHIBIT O)**

**ITEM 12. AUTHORIZATION TO ADVERTISE THE COURTHOUSE ROOF RENOVATION - ESTIMATED COST \$95,000**

Judge Ruiz stated that he wanted to wait to do all projects at one time but this matter is pressing at this time. He is recommending the waiver of professional service and appointing V.A. Architect as the Architect for this project and advertisement for the renovations of the roof. Commissioner Rosel pointed out the exemption was not on the agenda. Judge Ruiz stated that there were no plans so how could they advertise. **The commission took no action and they will bring back both issues the following week.**

**NO ACTION  
(EXHIBIT P)**

**ITEM 13. APPROVE THE RESOLUTION GIVING NOTICE OF INTENT TO REIMBURSE EXPENDITURES WITH PROCEEDS OF TAX EXEMPT OBLIGATIONS**

**NO ACTION  
(EXHIBIT Q)**

**ITEM 14. PURCHASING DEPARTMENT:**

- A. STATUS REPORT ON CONTRACT WITH GOVERNMENT RECORDS SERVICES INC. - MICROFILM SERVICES - COUNTY CLERK**
- B. AUTHORIZATION TO APPROPRIATE SAVE GRANT BUDGET**
- C. APPROVAL OF CONTRACT FOR PCT. 1 CULVERT PIPES**
- D. AUTHORIZATION TO ADVERTISE FOR BIDS FOR TWO 96/97 MODEL ½ TON PICKUP TRUCKS - PCT. 2**

**14A**

Martha Salazar opened by stating that the County Clerk's Office had made a request over the summer requesting authority to advertise for Archival Microfilming Services. Upon review of the RFP, there was a question raised that there might be some duplication of the original RFP for the County Clerk's Office on the original contract for microfilming. Commissioner Garces made a comment that Judge Ruiz had asked this question when this contract was awarded whether or not there was microfilming involved. Mrs. Salazar stated that clarification had been made and they have met with the County Clerk's Office and they are meeting with GRS and she believes the problem will be resolved because their original RFP does call for microfilming. Mr. Pulido and Mr. Farias were unable to make this meeting to report on this today, but the last meeting that was held between Mrs. Salazar and the County Clerk's Office, they were going to meet with GRS immediately. Commissioner Garces asked if these records will still be the property of the County and Mrs. Salazar responded in the affirmative. Judge Ruiz then reviewed the conversation to clarify what was being said. He reiterated that in the original RFP, the company said that if they want to microfilm to optical disc via their hardware, they will do it for so much but only going back to 1950. What is done ongoing, there is no extra charge for what is being microfilmed. The RFP covers everything from the day they signed the contract on and there

is no charge for microfilming that portion. Mrs. Salazar stated that this was correct. Judge Ruiz stated that if they want to go back, they would have to accept option 2 under the original RFP which was 10 cents per frame plus \$1.39 per document and Steve Crain was also under this understanding. The cost to be indexed is \$1.39 and to transfer it to the computer, it is an additional 10 cents more. Judge Ruiz stated that a major portion of the documents are already microfilmed. Santos Saldana began microfilming in the 60's. There may be 10 years of documents not microfilmed and that is what they may be looking for said Commissioner Sanchez. Judge Ruiz stated that they had questioned this contract and he did not know if Mr. Pulido had any money in the budget to do this and he had to come back to request it. He then went on to state that if someone comes in right now and records something, there is no extra cost for microfilming because it is within the contract. If they want to turn the microfilm into a magnetic tape to go into the computer, it is 10 cents per image. If they want to go further and microfilm a hard copy, it will be \$1.39. He also stated that they will accept that and the company has also accepted that. Mrs. Salazar stated that this is here understanding. Judge Ruiz again reiterated that as of Sept. 4, 1996, any document that was submitted, there should be no microfilm cost. Anything prior to this date, either going into magnetic tape or microfilming, they would be under the option rate if Mr. Pulido has money in the budget. Mrs. Salazar stated that she would be coming back to Court for the non award of the RFP's that were requested if Mr. Pulido wishes. **No further action was taken.**

**NO ACTION  
(EXHIBIT R)**

**14B**

Mrs. Salazar stated that the amount of this grant is \$17,530. The match is \$26,670 and the total budget is \$44,200. There was some brief discussion, after which, **a motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to appropriate the SAVE grant budget as presented.**

**MOTION CARRIED  
(EXHIBIT R)**

**14C**

**A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve.**

**MOTION CARRIED  
(EXHIBIT R)**

**14D**

**A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to authorize the advertisement for bids for the purchase of two 1996 and or 1997 model ½ ton pickup trucks for Pct. 2.**

**MOTION CARRIED  
(EXHIBIT R)**

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

**MOTION CARRIED**

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

## DRAINAGE DISTRICT

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

### CONSENT AGENDA

**ITEM 1. LINE ITEM TRANSFER  
(EXHIBIT S)**

**ITEM 2. PERMIT:  
A. NORTH ALAMO WATER SUPPLY  
(EXHIBIT T)**

**A motion was made by Commissioner Arcaute and was seconded by Commissioner Rosel to approve the Consent Agenda.**

***MOTION CARRIED  
(EXHIBITS S & T)***

### REGULAR AGENDA

**ITEM 1. CONSIDERATION TO SET FEE FOR PARTIAL RELEASE OF EASEMENT**

Vona Walker addressed the Court and stated that this was a drain ditch that was acquired several years back. The owner who's property overlaps this drain ditch between Business 83 and the Expressway has buried this ditch underground and it has been for a while. The owner is requesting that the County keep a 40 ft. easement and they release 20 ft. on either side of this 40 ft. At the time this was done the owner claims that he did not know who's ditch this was and neither did the City of Mission and this is why this was done. During some discussion Judge Ruiz stated that he did not like this issue and this partial release did not have to be granted. **Commissioner Rosel then made a motion and was seconded by Commissioner Garces to release partial release of easement.**

**MOTION CARRIED (JUDGE RUIZ & COMM. ARCAUTE OPPOSE)  
(EXHIBIT U)**

**ITEM 2. AUTHORIZATION TO EXECUTE PARTIAL RELEASE OF EASEMENT**

Judge Ruiz asked what the fee would be and Ms. Walker stated that the owner is requesting that there be no fee being that he put this ditch underground at his expense. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces.** After further brief discussion where it was decided to get this land appraised at the requester's expense, **the motion that contingent on this release of easement that there be an appraisal to set the fee. The appraisal will be at the cost of the requester was put to a vote and all voted in favor.**

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

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

***MOTION CARRIED***

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