

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

### **CONSENT AGENDA**

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

GENERAL FUND	- #125822 - #125966	- \$1,506,977.33
SPECIAL REVENUE FUND	- #125314 - #125494	- \$ 728,361.12
TRUST AND AGENCY FUND	- # 5929 - # 5929	- \$ 293,009.23
ENTERPRISE FUND	- # 2934 - # 2938	- \$ 18,828.38

**(EXHIBIT A)**

#### **ITEM 2. APPROVAL OF MINUTES - APRIL 30, 1996**

#### **ITEM 3. MONTHLY FEE REPORTS:**

A. SHERIFF'S DEPARTMENT - \$62,024.04 - OCTOBER

**(EXHIBIT B)**

#### **ITEM 4. PLANNING DEPARTMENT:**

##### **A. SUBDIVISIONS:**

1. AHEC	- PCT. 1
2. DOMINIQUE ESTATES	- PCT. 2
3. MARKET CENTER SUBDIVISION	- PCT. 2
4. FRATTI SUBDIVISION	- PCT. 4

##### **B. RELEASE LETTER OF CREDIT**

1. BELL SUBDIVISION #2 PHASE I	- PCT. 3
2. TOM GILL #2	- PCT. 3
3. MERCEDES ACRES #2	- PCT. 1

**(EXHIBIT C)**

#### **ITEM 5. PERMITS:**

A. NORTH ALAMO WATER SUPPLY	- PCT. 1
B. SOUTHWESTERN BELL TELEPHONE CO.	- PCT. 3
C. WYATT HIDALGO FARMS	- PCT. 4

**(EXHIBIT D)**

#### **ITEM 6. INTERNAL LINE ITEM TRANSFERS:**

A. PLANNING DEPARTMENT	- \$ 1,100.00
B. SHERIFF'S OFFICE	- \$30,000.00
C. ROAD/BRIDGE - INSURANCE	- \$ 4,555.00
D. EXTENSION SERVICE	- \$ 500.00
E. 139 <sup>TH</sup> DISTRICT COURT	- \$ 2,139.75
F. TAX OFFICE	- \$12,500.00
G. PCT. 4 - PAVED/UNPAVED ROADS	- \$10,890.00
H. BUILDINGS AND GROUNDS	- \$ 70.00
I. HISTORICAL COMMISSION	- \$ 1,153.00
J. CONSTABLE PCT. 5	- \$ 700.00
K. JUVENILE PROBATION DEPARTMENT (STATE)	- \$ 2,500.00
L. HEALTH DEPARTMENT (ADMINISTRATION)	- \$ 1,125.00
M. HEALTH DEPARTMENT (SANITATION)	- \$ 2,212.00
N. HEALTH DEPARTMENT (CLINICS)	- \$ 9,949.00
O. COMPUTER DEPARTMENT	- \$11,000.00
P. PURCHASING DEPARTMENT	- \$13,000.00
Q. ENTERPRISE FUND	- \$ 6,515.00
R. COUNTY COURT AT LAW #1	- \$10,275.00

**(EXHIBIT E)**

Judge Ruiz asked 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 Sanchez to approve the agenda as presented.**

**MOTION CARRIED  
(EXHIBITS A-E)**

**EXECUTIVE AGENDA**

**ITEM 1. CLOSED SESSION:**

**COMMISSIONER'S COURT MAY GO INTO CLOSED SESSION PURSUANT TO CHAPTER 551, TEXAS GOVERNMENT CODE, SECTION 551.072 TO DISCUSS THE FOLLOWING MATTER:**

- A. DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION AUTHORIZING TAX RESALE**

At this time, the Commission retired into executive session.

**ITEM 2. OPEN SESSION:**

- A. DISCUSSION AND POSSIBLE ACTION ON A RESOLUTION AUTHORIZING TAX RESALE**

**2A**

Judge Ruiz stated this resolution was initiated by Mission ISD on 3 parcels of land totaling 18.95 acres. This was land was auctioned on the Courthouse steps where no bids were received. He feels that there should be a better price for this land and he would now recommend that this resolution be rejected and revert it back to the district to attempt to come up for a better price. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to not accept the resolution authorizing tax resale and authorize our legal counsel to work with Mission School District and their legal counsel to see if we can get a better price for this land.**

**MOTION CARRIED  
(NO EXHIBIT)**

**REGULAR AGENDA**

**ITEM 1. DISTRICT ATTORNEY:**

- A. APPROVAL OF CONTRACT FOR SERVICES**
- B. BUDGET AMENDMENT (BAD CHECK PROCESSING FEES (UN-APPROPRIATED FUND))**

**1A**

Judge Ruiz stated that if they use the confiscated funds, they will have to get quotes and if they use the hot check un-appropriated fund, there will be no requirements for the District Attorney, the Commission or the Purchasing Agenda. He referred to an attorney general opinion stating that hot check funds can be spent at the discretion of the DA. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve a contractual service agreement between James R. Wade and the County of Hidalgo for contractual services under professional services for Programming and Consulting of their computer software and hardware in the District Attorney's Office.**

**MOTION CARRIED  
(EXHIBIT F)**

**1B**

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve a budget amendment from un-appropriated funds to contractual services in the bad check processing fees of \$6000.

**MOTION CARRIED  
(EXHIBIT F)**

**ITEM 2. HEALTH DEPARTMENT:**

- A. **INTERLOCAL COOPERATION AGREEMENT BETWEEN HIDALGO COUNTY AND THE CITY OF HIDALGO FOR JANITORIAL SERVICES TO BE PROVIDED IN THE HIDALGO CLINIC**
- B. **APPROVAL TO IMPLEMENT THE ENVIRONMENTAL HEALTH SURVEY OF THE TEXAS-MEXICO BORDER**

**2A**

Rudy De La Vina stated that this agreement, they would be paying for half of the contract for services which is about 15 hours per week in the amount of \$92.50 not to exceed \$4,810 per year. **A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to approve an Interlocal Cooperative Agreement between Hidalgo County and the City of Hidalgo for janitorial services to be provided in the Hidalgo clinic, cost not to exceed \$4,810 and this is a one year contract beginning December 1, 1996.**

**MOTION CARRIED  
(EXHIBIT G)**

**2B**

Mr. De La Vina stated that this was an effort to assist in collecting blood samples from the population. The department will not have to spend any money, they in fact will be receiving \$60 of which they get \$30 and the participants get \$30. After further comments, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to participate in this environmental health surveyor as prescribed by this contract.**

**MOTION CARRIED  
(EXHIBIT G)**

**ITEM 3. PLANNING DEPARTMENT:**

- A. **PRELIMINARY PLAT APPROVAL**
  - 1. **MOONLIGHT SUBDIVISION - PCT. 2**
  - 2. **VALLE ESCONDIDO - PCT. 3**
- B. **DISCUSSION AND POSSIBLE ACTION:**
  - 1. **WEST DOFFING**

**3A1**

Emilio Garcia stated that this has been approved by the city. He is recommending approval subject to items a, b & c as per the exhibit. **A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to give preliminary plat approval to Moonlight Subdivision in Pct. 2 as presented.**

**MOTION CARRIED (JUDGE RUIZ ABSTAINED)  
(EXHIBIT H)**

**3A2**

Mr. Garcia stated that this subdivision has met all preliminary requirements in accordance with the County regulations. He is recommending approval of this subdivision subject to items a b & c as per the exhibit. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to give preliminary plat approval to Valle Escondido in Pct. 3 as presented.**

**MOTION CARRIED  
(EXHIBIT H)**

**3B1**

Mr. Garcia stated that this subdivision had been given preliminary approval on August 20, 1996. At that time, there was \$15,750 in escrow for the pipes. Since then, the developer has decided to propose curb and gutter for the subdivision. The developer is requesting a refund of the culvert monies and there is also correspondence from the City stating that they have no objections to the curb and gutter. He is recommending the refund of the monies. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve the refund of the deposit for culvert pipes in the amount of \$15,750.**

**MOTION CARRIED  
(EXHIBIT H)**

**ITEM 4. PURCHASING DEPARTMENT:**

- A. **IMPLEMENTING THE TEXAS INDIGENT HEALTH CARE TREATMENT ACT**
- B. **APPROVAL OF CONTRACT WITH MONTGOMERY ELEVATOR CO.**

**4A**

Martha Salazar stated that this was a contract with ASO North America and the Human Services Department. This contract is now in agreement by both parties involved. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Sanchez to award a contractual agreement and approve contract with ASO North America for the administration of our Indigent Health Care Program billing process.**

**MOTION CARRIED  
(EXHIBIT I)**

**4B**

Mrs. Salazar stated that this was for work that has been done on an elevator leading to the sub-station at the Courthouse. Steve Austin will not pay without a contract. This is only for the job of the elevator and nothing else. The amount of work was \$29,865. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve a contract with Montgomery Elevator Co. for repair and maintenance for an elevator that cost \$29,865.**

**MOTION CARRIED  
(EXHIBIT I)**

**ITEM 5. APPRECIATION OF COMMISSION DAVID BERNSEN - RIO GRANDE VALLEY PARTNERSHIP**

Anthony Covacevich stated that this was in relation to the to the mobility fund which he helped increase fund for the valley. He is part of the TxDOT Commission and term is about to expire. The Commission would like to recognize him for all his help. Judge Ruiz proceeded to

read the proclamation as per the exhibit. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Rosel to approve.**

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

**ITEM 6. URBAN COUNTY:**

- A. **PCT. 1 - CONSTRUCTION CONTRACT AWARD YR. 9 STREET IMPROVEMENTS**
- B. **PCT. 2 - CONSTRUCTION CONTRACT AWARD STREET IMPROVEMENTS**
- C. **PCT. 4 - STREET IMPROVEMENTS PROFESSIONAL ENGINEER SERVICE CONTRACT**
- D. **ENGINEERS/ARCHITECTS CONTRACT PAYMENT PERCENTAGES**
- E. **HOME - FIRST TIME HOMEBUYER CONTRACT AGREEMENT AND LETTER OF COMMITMENT TO MORTGAGE COMPANY**
- F. **HOME - RENTAL REHABILITATION CONTRACT**
- G. **APPROVAL OF SECTION 108 LOAN GUARANTEE RESOLUTIONS FOR THE CITY OF ALTON, LA JOYA & MERCEDES**
- H. **VILLA RAMA SUBDIVISION - ACTION AND APPROVAL OF SALE OF PROPERTY WITH HOUSE**

**6A**

Mr. Covacevich stated that this contract was with Mission Paving for \$385,097.09. This amount is available in the budget. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to award contract to Mission Paving Co., contract amount \$385,097.09.**

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

**6B**

Mr. Covacevich stated this contract is also street paving project. The amount of the contract is \$293,952.94. **A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to award bid to the low bidder which is Mission Paving Co. in the amount of \$293,952.94.**

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

**6C**

Mr. Covacevich stated that this was a request for additional services. They would like to add 3 streets to the current contract with J.E. Saenz & Assoc. The additional amount would be \$5,200 to bring the new amount to \$38,200. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve a change order to the contract of J.E. Saenz & Assoc., Pct. 4, County of Hidalgo, increasing the contract by \$5,200.**

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

**6D**

Mr. Covacevich stated that this was for payment of engineers for their services. This is always done in 3 phases. Preliminary phase, design phase and a construction phase. The current lay out schedule is 15% during the preliminary phase, 70% during the design phase and 15% upon completion of the construction. They would now like to change the amounts in the phases from 70% during the design phase to 60% and add 10% to the construction phase to

make it 25% upon completion. The reason for this is because the engineers have not paid much attention during the construction phase and they feel this would have them be more attentive to this aspect. After further brief comments, **a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve policy on method of payment for engineers and architectural contract within the Urban County Program, preliminary phase will pay approximately 15%, design phase will pay 60% and the construction phase will pay 25%.**

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

**6E**

Mr. Covacevich stated that there were 6 families being recommended for approval. 5 of them are for \$3,000 and 1 for \$1,200. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve.**

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

**6F**

Mr. Covacevich stated that this contract will be for one unit in Elsa. The total amount of the contract is \$8,500. **A motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve the rental rehab contract with Augustine Modesto Hernandez for this home rental program in the amount of \$8,500.**

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

**6G**

Mr. Covacevich stated that there are 3 cities that are asking for these loans. In this program, a city can pledge for future allocations. They will be able to use these monies for eligible HUD activities. The City of Alton is asking for 3 million to build a multi-service complex for a period of 20 years, City of La Joya is proposing to construct a water plant and they are applying for \$1,000,000 for a period of ten years and the City of Mercedes is requesting 1.5 million for infrastructure and drainage improvements and the loan period is for 10 years. UCP will be handling the applications on behalf of the County but they will hold these cities allocations for payment guarantees. They also have to pay back  $\frac{1}{4}$  more in interest. After further comments, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the section 108 loan guarantee resolutions for the cities of Alton, La Joya & Mercedes respectively. Alton for 3 million, La Joya 1 million, Mercedes 1.5 million.**

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

**6H**

Mr. Covacevich stated that this was a home built by the Mission Service Project. This entity has since departed from the home program. Because of an interlocal agreement that was in place, all of their assets have been transferred back to the UCP. There were four homes included in this transfer. They are trying to sell these homes. At this time, there is one buyer who would like to buy the house on lot 39 of Villa Rama Subdivision. The selling price is \$37,000. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the sale of the property with home for an amount of \$37,000, high bidder Mr. Juan De Dios Suarez, lot 39 of Villa Rama Subdivision.**

***MOTION CARRIED***

**(EXHIBIT K)****ITEM 7. OFFICE OF EMPLOYMENT AND TRAINING:**

- A. **CONSIDER AND APPROVE NOMINATIONS TO THE PRIVATE INDUSTRY COUNCIL FOR THE PUBLIC ASSISTANCE REPRESENTATIVE CATEGORY**
- B. **DISCUSSION AND POSSIBLE ACTION OF THE FINAL RFP FORMAT AND SOLUTIONS**

**7A**

Judge Ruiz stated that there was a letter from Department of Human Services recommending Mary Jane Salas, Leonel Vela and Lupita Lopez. Leonel Vela, Jr. is from Mission, Mary Jane Salas is from Donna and Lupita Lopez is from Edinburg. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to appoint Mr. Leonel Vela in the Public Assistance Representative Category to the Private Industry Council.**

**MOTION CARRIED****(EXHIBIT L)****7B**

Donna Woodard addressed the Court and stated that this item was anticipated to be approved by the PIC before this Court date but there was no quorum on that day. The executive committee met prior to this meeting and gave approval to this proposal for approval by the Commission. There is a sense of urgency with this issue in order to begin programs in January '97. She stated that there was a minor correction. The correction was number of special programs. Upon approval by the Commission, OET will then seek approval from the State. After further comments, **a motion was made by Commissioner Sanchez and was seconded by Commissioner Arcaute to approve the final RFP Format and Solicitation Projects as presented.**

**MOTION CARRIED (JUDGE RUIZ ABSTAINED)****(EXHIBIT L)****ITEM 8. PERMIT:**

- A. **VALERO TRANSMISSION**

**8A**

Judge Ruiz stated that this was in reference to a line that was installed without the permit being issued. The Commission expressed their discontent with this issue being that this company checked with noone concerning the installation. Ms. Walker stated that the last conversation she had was with Brent Starr which was two weeks prior when the information needed was faxed to her. Upon receipt of this request, she attempted to place this on the agenda but the agenda was already out. She advised them that she would place on the agenda for this week. There has been no further contact with anyone from this company or representative. During further comments, it was stated that the reason this had been delayed is because the County had requested some schematics to verify how this line was going to be installed and that Valero was told that they would be placed on the agenda. They company went ahead and installed it anyway without formal approval. The inspection should be carried out by the Commissioner who's precinct they are proposing the installation although Commissioner Garces did not know anything about this. He had gone out there and the work was already done. Judge Ruiz also had some questions regarding the private easement that was used during the installation. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Garces to deny the permit and hire legal counsel to file an injunction on use and crossing of this road by Valero Transmission. Commissioner Arcaute had some objection as to these measures that were being taken by the Court. The motion was then put to a vote.**

**MOTION CARRIED (COMM. ARCAUTE OPPOSED)  
(EXHIBIT M)**

**ITEM 9. DECLARE EQUIPMENT SURPLUS:  
A. COURTHOUSE NATIVITY SCENE**

**9A**

Judge Ruiz stated that this stemmed from a Supreme Court ruling that there could no longer be religious scenery at the Courthouse. There has been some interest by some churches to have this scene. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.**

**MOTION CARRIED  
(NO EXHIBIT)**

**ITEM 10. BUDGET AMENDMENT:  
A. PHARR ECONOMIC DEVELOPMENT CORPORATION - \$20, 245.97**

**10A**

Judge Ruiz stated this was for the portion of the County for participation with the Cities of Mission, McAllen, Pharr & Edinburg to support the I-69 project. **A motion was made by Commissioner Arcaute and was seconded by Commissioner Sanchez to approve the amendment.**

**MOTION CARRIED  
(EXHIBIT N)**

**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. PERMIT:  
A. CITY OF PHARR - VILLA SAN MIGUEL SUBDIVISION PHASE II - 30" PIPE INTO  
DITCH OWNED BY IRRIGATION DISTRICT #2  
(EXHIBIT O)**

**A motion was made by Commissioner Sanchez and was seconded by Commissioner Garces to approve the consent agenda as presented.**

**MOTION CARRIED  
(EXHIBIT O)**

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

***MOTION CARRIED***

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