

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 - #127390 - #127587 - \$2,333,784.30
 SPECIAL REVENUE FUND - #126912 - #127066 - \$ 185,777.90
 TRUST AND AGENCY FUND - # 6074 - # 6081 - \$ 525,698.70
 ENTERPRISE FUND - # 3039 - # 3055 - \$ 877.08

(EXHIBIT A)

ITEM 2. MONTHLY FEE REPORTS:

A. LAW LIBRARY - \$ 374.00 - DECEMBER 1996
 B. JUSTICE OF THE PEACE:
 1. RUBEN RAMOS - \$ 844.05 - DECEMBER 1996
 2. ADAN CABALLERO - \$ 1,291.80 - DECEMBER 1996
 3. ESPIRIDION JACKSON - \$ 5,774.40 - DECEMBER 1996
 4. RENE O. TORRES - \$ 9,085.50 - DECEMBER 1996
 5. JESUS E. MORALES - \$ 9,201.00 - DECEMBER 1996
 6. ISMAEL OCHOA - \$13,579.83 - DECEMBER 1996
 7. ROSA E. TREVINO - \$15,483.41 - DECEMBER 1996
 8. CHARLIE ESPINOZA - \$19,136.00 - DECEMBER 1996
 9. ARNALDO CORPUS - \$ 2,458.14 - DECEMBER 1996
 C. CONSTABLES:
 1. HORACIO AGUIRRE - \$ 105.00 - NOVEMBER 1996
 2. GILBERTO SAENZ - \$ 160.00 - NOVEMBER 1996
 3. MATEO CAVAZOS - \$ 565.00 - NOVEMBER 1996
 4. RUMALDO CERDA JR. - \$ 190.00 - NOVEMBER 1996
 5. EDUARDO BAZAN - \$ 0.00 - NOVEMBER 1996
 6. HORACIO AGUIRRE - \$ 0.00 - DECEMBER 1996
 7. GILBERTO ALANIZ - \$ 100.00 - DECEMBER 1996
 8. MATEO CAVAZOS - \$ 395.00 - DECEMBER 1996
 9. RUMALDO CERDA - \$ 445.00 - DECEMBER 1996
 10. EDUARDO BAZAN - \$ 0.00 - DECEMBER 1996
 D. ANZALDUAS PARK - \$ 2,508.00 - NOVEMBER 1996

(EXHIBIT B)

ITEM 3. INTERNAL LINE ITEM TRANSFERS: (1996)

A. ELECTIONS DEPARTMENT - \$1,788.49
 B. JAIL COMMISSARY - \$ 700.00

(EXHIBIT C)

ITEM 4. INTERNAL LINE ITEM TRANSFERS (1997)

A. TREASURER - \$ 120.00
 B. JUSTICE OF THE PEACE - GILBERTO SAENZ - \$ 290.00
 C. SHERIFF - \$1,000.00
 D. IMPACT COURT - \$3,414.02

(EXHIBIT C)

ITEM 5. PERMITS:

- A. SOUTHWESTERN BELL - PCT. 1 & 2
- B. FINA OIL & CHEMICAL - PCT. 2

(EXHIBIT D)

ITEM 6. PLANNING DEPARTMENT:

- A. SUBDIVISIONS:
 - 1. SOUTHGATE WOODS SUBDIVISION - - PCT. 1

(EXHIBIT E)

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the Consent Agenda as presented.

MOTION CARRIED

(EXHIBITS A-E)

REGULAR AGENDA

AT THIS TIME, JUDGE RUIZ MOVED TO ITEM 7.

ITEM 7. 92ND DISTRICT COURT:

- A. **BUDGET AMENDMENT - PURCHASE OF OFFICE EQUIPMENT & LEGAL REFERENCE MATERIAL**

7A

Judge Ed Aparicio addressed the Court and stated that they are in need of equipment and legal materials. This is due to them upgrading in regards to computerization and the office in general. He is now asking for \$8,500 to continue this upgrading of his court. **A motion was then made by Commissioner Handy and was seconded by Commissioner Garces to approve the budget amendment of \$8,500 for the purchase of equipment and legal reference material.**

MOTION CARRIED

(EXHIBIT F)

EXECUTIVE AGENDA

ITEM 1. CLOSED SESSION:

COMMISSIONER'S COURT MAY GO INTO CLOSED SESSION PURSUANT TO CHAPTER

551, TEXAS GOVERNMENT CODE, SECTION 551.074 TO DISCUSS THE FOLLOWING

MATTER:

A. PERSONNEL:

- 1. **AUTHORIZATION TO GRANT INTERVIEW FOR POSITION OF HIDALGO COUNTY HEALTH ADMINISTRATOR AS PER COMMITTEE ADVISEMENT**

At this time, the Commission retired into executive session.

ITEM 2. OPEN SESSION:

A. PERSONNEL:

1. **AUTHORIZATION TO GRANT INTERVIEW FOR POSITION OF HIDALGO COUNTY HEALTH ADMINISTRATOR AS PER COMMITTEE ADVISEMENT**

2A

Judge Ruiz stated that they have interviewed the 3rd of 3 finalists for this position. They hope to have some type of formal announcement with two weeks as to who will be hired. **No further action was taken.**

***NO ACTION
(NO EXHIBIT)***

Back to the Regular Agenda.

ITEM 1. TAX OFFICE:

A. TAX REFUND:

1. **ALVARO LUNA - \$943.53**

1A1

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

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

ITEM 2. COURT REPORTER FEES:

- A. **FRANSISCO B. MORENO - \$1,245.00 - 1997**
\$ 745.00 - 1997
\$ 46.00 - 1997

2A

A motion was made by Commissioner Rosel and was seconded by Commissioner Handy to approve Court Reporter Fees paid to Fransisco Moreno in the amounts read.

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

ITEM 3. COUNTY AUDITOR:

- A. **DISCUSSION AND ACTION TO INCREASE THE COUNTY EMPLOYEE'S REIMBURSEMENT RATE FOR THE USE OF PRIVATE VEHICLES**

3A

Judge Ruiz stated that this was in relation to a letter sent by the Auditor whereby the IRS has raised the mileage rate to 31.5 cents per mile. The Commission has to formally adopt this rate for it to be in effect for the County. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to accept the rate for mileage reimbursement to all County and Elected Officials at 31.5 cents per mile for the year 1997 as per the Internal Revenue Service.**

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

**ITEM 4. JUSTICE OF THE PEACE: (GILBERT SAENZ)
A. APPROVAL OF A \$25 CHANGE FUND**

4A

A motion was made by Commissioner Rosel and was seconded by Commissioner Handy to approve a change fund of \$25 for Judge Gilbert Saenz, J.P. in the Pct. 1 area.

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

**ITEM 5. HISTORICAL MUSEUM:
A. APPROVAL OF INTERLOCAL AGREEMENT BETWEEN THE COUNTY
OF HIDALGO AND THE HIDALGO COUNTY HISTORICAL MUSEUM**

5A

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the agreement established between the County of Hidalgo and the Historical Museum as a non-profit corporation.

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

**ITEM 6. HIDTA GRANT:
A. APPROVAL OF GRANT ADJUSTMENT IN THE AMOUNT OF \$34,667.84
B. CREATE POSITION
C. SET SALARIES**

6A-C

Roy Cazares addressed the court and stated that this adjustment would create two additional slots. One investigator and one clerk typist. The monies will come from the program income funds in approval has been given by the regional director. The annual salary for the investigator will be \$28,000 and \$13,000 for the typist. After further comments, **a motion was made by Commissioner Garces at was seconded by Commissioner Arcaute to approve the adjustment to the budget for the investigator position at \$24,916.42 and for the clerk typist at \$ 9,751.42, create the position of the investigator and clerk typist and set salaries at \$28,000 and \$13,000.**

**MOTION CARRIED
(EXHIBIT L)**

ITEM 8. HEALTH DEPARTMENT:

- A. **APPROVAL TO TRANSFER \$9,000 FROM ADMINISTRATION TO HEALTH CENTERS AND CLINICS**
- B. **APPROVAL OF LINE ITEM TRANSFERS IN THE AMOUNT OF \$12,602.00**

8A

Rudy De la Vina addressed the court and stated that if this transfer was for the purpose of contracting for STD physician services due to their in house physician retiring. The contract for these services will be a total of \$21,600 per year. This is an increase of approximately \$13,000. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to authorize a \$9,000 transfer from administration to health centers and clinics for the future employment of a contract doctor for STD clinic physician.**

**MOTION CARRIED
(EXHIBIT M)**

8B

Mr. De la Vina stated that this transfer would be coming from the salaries position #19. This is actually three line item transfers. One from salaries in the amount of \$7,762, health insurance in the amount of \$1,840 and other professional services in the amount of \$3,000 for a total of \$12,602. This amount plus the \$9,000 that was approved in the previous item equals to \$21,602 which will cover the contract for services being presented by the Purchasing Department. During further comments, Judge Ruiz stated that they can adjust other line item except for fringe benefits. Mr. De la Vina stated that they should be able to find this amount elsewhere in their budget. Thus the amount of this transfer now totals to \$10,762. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to approve a line item transfer within the health clinic budget in the 03 category of \$7,762 and \$3,000 from contractual services which is \$10,762.**

**MOTION CARRIED
(EXHIBIT M)**

ITEM 9. COUNTY JUDGE:

- A. **REAPPOINTMENT OF TWO MEMBERS TO THE MHMR PUBLIC RESPONSIBILITY COMMITTEE**
- B. **BUDGET AMENDMENT DECREASING COUNTY JUDGE'S BUDGET AND INCREASING 370TH DISTRICT COURT**
- C. **BUDGET AMENDMENT DECREASING VISITING JAIL COURT AND INCREASING CRIMINAL AUXILIARY COURT**
- D. **APPROVAL TO CREATE DISTRICT ATTORNEY POSITION AND SET SALARY**
- E. **CREATE RECEPTIONIST/CLERK POSITION AND SET SALARY**
- F. **BUDGET AMENDMENT FROM SURPLUS - GENERAL FUND**

- G. **LATERAL TRANSFER OF EMPLOYEE FROM PBX DEPARTMENT TO COUNTY JUDGE'S OFFICE**
- H. **BUDGET AMENDMENT TRANSFERRING PBX FUNDS INTO GENERAL FUND SURPLUS AND DEPARTMENT OF HUMAN SERVICES POSITION #8**
- I. **SET SALARY FOR POSITION #08 - HUMAN SERVICES**
- J. **LATERAL TRANSFER OF EMPLOYEE FROM PBX DEPARTMENT TO HUMAN SERVICES DEPARTMENT**
- K. **APPROVAL OF COMPENSATION CHANGES - GENERAL FUND**
- L. **APPROVAL OF BUDGET AMENDMENT DECREASING COUNTY JUDGE'S BUDGET AND INCREASING ROAD & BRIDGE COUNTY WIDE**
- M. **APPROVAL OF COMPENSATION CHANGES - ROAD & BRIDGE COUNTY WIDE**

9A

Judge Ruiz stated that the re-appointments are Ardis Kowalsky and Angie Rhodes. They have been on this committee for one term. **A motion was made by Commissioner Rosel and was seconded by Commissioner Handy to re-appoint these two members to the MHMR Public Responsibility Committee.**

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

9B

Judge Ruiz stated that the 370th District Court was the oversight authority to the Auxiliary Court. There is a position in the County Judge's Budget for the Court Appointment Administrator who has resigned from this position. Judge Ruiz stated that there was some discussion among the Courts and the Sheriff whereby they feel that this position is no longer needed and they can continue this court appointment process through the Courts and use the money from the vacant position for another position which is a clerical position which can handle these duties. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Handy to approve budget amendment in the amount of \$23,446.55 which is decreasing County Judge's Budget and increasing 370th District Court.**

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

9C

Judge Ruiz stated that have initiated a Visiting Jail Court which under Joe. B. Evins. They have also initiated an Auxiliary Court which is under Noe Gonzalez. The Visiting Jail Court budget, there are two Court Reporters. They want to reduce the visiting court by one of those court reporters, which is vacant and put it in the Auxiliary Court to hire an Assistant District Attorney. The amount of this position is \$40,000. Mr. Vazaldua stated they contacted Rene Guerra and they advised him that the County has \$40,000 to work with and Mr. Guerra responded by stating that this would be enough money to place into 03 and he would go into the confiscated funds and pay the fringes. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Rosel to approve the budget amendment for \$40,000 to decrease**

the 03 within the Visiting Court system by \$40,000 and increasing the Criminal Auxiliary Court by \$40,000.

MOTION CARRIED
(EXHIBIT N)

9D

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces and Arcaute to create a district attorney's position and the salary of \$40,000.

MOTION CARRIED
(EXHIBIT N)

9E

Judge Ruiz stated that this was involving two positions. He reiterated some action that had been taken by the Court. It was concerning the PBX staff. These two individuals are no longer needed being that a new telephone was set up even though the PBX budget was approved up for 1997. One of these individuals has been housed at the County Judge's Office and the other is under Rudy De la Vina. This creation and setting of salary is for the one that is housed at the County Judge's Office. **A motion was then made by Commissioner Garces and was seconded by Commissioner Rosel to create a receptionist/clerk position in the County Judge's Office and setting salary at \$17,120.**

MOTION CARRIED
(EXHIBIT N)

9F

A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to approve a budget amendment of \$17,940.35 from PBX to surplus funds then to County Judge's Office.

MOTION CARRIED
(EXHIBIT N)

9G

A motion was made by Commissioner Arcaute and was seconded by Commissioner Handy to authorize a lateral transfer of a particular employee from PBX to the County Judge's Account.

MOTION CARRIED
(EXHIBIT N)

9H

Judge Ruiz stated that this was taking from PBX, \$20,039 and putting into surplus funds and going into Human Services. **A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to approve said budget amendment.**

**MOTION CARRIED
(EXHIBIT N)**

9I&J

A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to set the salary at \$17,284 and authorize the lateral move from PBX to Human Services.

**MOTION CARRIED
(EXHIBIT N)**

9K

Judge Ruiz stated that this was to give salary increases to existing staff. They will be eliminating a position to do this. The position they are eliminating is currently vacant and the amount of that position is \$43,750 as well as the auto allowance which is \$4,200. They will also transfer money from the general fund to county wide road & bridge to adjust the salary of some other individuals who are in that budget. The one position that is being eliminated is the one that was created when Judge Garcia was in office. After further comments concerning the individual included in this increase as per the exhibit, **a motion was made by Commissioner Handy and was seconded by Commissioner Rosel to approve.**

**MOTION CARRIED (COMM. ARCAUTE AND GARCES OPPOSED)
(EXHIBIT N)**

9L&M

Judge Ruiz stated that they will now be transferring money from the 03 category from the County Judge's Office to county wide road & bridge to give three individuals on his staff a raise. The Commission has some questions as to taking this money from the County Judge's as opposed to County Wide Road & Bridge funds. Judge Ruiz stated that he felt that it could be done from his budget but if the Commission so chose, they could go into county wide funds. A further comments, **a motion was made by Commissioner Rosel and was seconded by Commissioner Handy to approve a budget amendment by \$6,891.18 for the increase in salaries to three particular staff persons within the County Judge's Office and setting salaries as such which are \$27,071 for the secretary, general clerk, \$28,600 and insurance clerk, \$18,537.75. JUDGE RUIZ VOTED IN FAVOR.**

**MOTION CARRIED (COMM. ARCAUTE AND GARCES OPPOSED)
(EXHIBIT N)**

ITEM 10. DRUG IMPACT COURT (PAUL VAZALDUA)

- A. APPROVAL TO AMEND JOB DESCRIPTIONS FOR YR. 96-97**
- B. APPROVAL OF RESOLUTION FOR YR. 97-98 SUPPORTING PROGRAM AND ACCEPTANCE OR RESPONSIBILITY FOR THE GRANT FUNDS**
- C. APPROVE AND APPROPRIATE 97-98 GRANT APPLICATION**

Paul Vazaldua stated that this court currently reports to the Court Coordinator and they would like to change it so that they report to the Project Director. The director will be responsible for signing off on time sheets and keeping tabs on the staff. Commissioner Garces felt that this should have been done sooner. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Handy to approve and amended job description in the grant for the drug impact court as presented.**

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

10B

Mr. Vazaldua stated that this resolution was in relation to the funding grant for the impact court and showing support on behalf of the County. **A motion was made by Commissioner Garces and was seconded by Commissioner Handy to approve the resolution for continuing support of the grant for 97-98.**

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

10C

Mr. Vazaldua stated that this grant called for a match of 25%. That total is \$63,130 and the State will allot \$189,390. There is no increase in salary for the staff in this grant although the cash match has increase by approximately 4%. After further comments, **a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve and accept the grant application and authorize the submittal as such.**

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

ITEM 11. PCT. 1:

A. BUDGET ADJUSTMENTS FOR THE PURCHASE OF A ROLLER

11A

Judge Ruiz stated that he had discussed this with Commissioner Arcaute and he was informed by Commissioner Arcaute that her fund balance allowed for this to be paid out of that fund balance which is approximately \$390,000. He then went on to state that he had discussed this with Comm. Handy and she stated that at this point, they are in the middle of identifying pending bills and at this point, they have identified \$220,000 and they are still not done. During further comments, Judge Ruiz stated that there has been an award for this roller. He reiterated what took place the previous week where Comm. Handy requested to go to the bank to finance this. He is now requesting that this be paid from county wide. Comm. Arcaute did not agree with this request being that there is sufficient funds in the individual budgets. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the budget adjustment for Pct. 1 for the purchase of a roller.**

***MOTION CARRIED (COMM. ARCAUTE OPPOSED)
(NO EXHIBIT)***

ITEM 12. PCT. 3:

- A. **AUTHORIZATION TO PAY \$46,669.00 OF REMAINING AMBULANCE CONTRACT FROM COUNTY WIDE ROAD AND BRIDGE ON A PER MONTH BASIS OF \$6,667.00**
- B. **AUTHORIZATION TO PAY EMS PENDING BILL IN THE AMOUNT OF \$6,667.00**
- C. **APPROVAL TO EXEMPT FROM COMPETITIVE BIDDING REQUIREMENTS - PROFESSIONAL SERVICES**
- D. **AUTHORIZATION TO RENEW 1997 LANDFILL SERVICE CONTRACT WITH RUST LICHLITER/JAMESON**

12A

Judge Ruiz stated that the Commissioner and some of the cities have joined together to fund ambulance service within the area. The allocation has been coming from fund balances. They now want to transfer funds in the amount of \$50,000 to cover this contract. He then into the issue of all the other precincts having their own fire districts to pay for ambulance service and pct. 3 coming to the county wide fund to pay for services in that district when no one else is. Commissioner Arcaute felt that they need to send some type of message as a county to force that precinct to go into a fire district or go into a county wide district. Judge Ruiz stated that there was legislation passed that gave them authority to incorporate ambulance service. After further comments where Commissioner Arcaute pointed out that they are going into a contract and there is no assurance that there is any money, **a motion was made by Commissioner Rosel and was seconded by Commissioner Handy to authorize a transfer of funds from county wide road & bridge to general fund back to ambulance services in the amount of \$46,669.**

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

12B

A motion was made by Commissioner Rosel and was seconded by Commissioner to approve EMS pending bill in the amount of \$6.667.

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

12C&D

NO ACTION

ITEM 13. PCT. 4:

- A. **AUTHORIZATION TO ACCEPT AND APPROPRIATE CONTRIBUTIONS FROM PCT. 4 RESIDENTS FROM QUOTE COST SHARE OF TWO PAVING PROJECTS**

13A

Commissioner Garces stated that there was two subdivisions that would like to contribute to some paving projects in their area. One contribution comes from the

residents of south port in the amount of \$2,373.88 and the other area is the residents of 6th street in San Carlos in the amount of \$3,030. He would like these monies placed into new roads. **A motion was made by Commissioner Garces and was seconded by Commissioner Garces and was seconded by Commissioner to accept the funds and appropriate them in object 91, new roads under pct. 4 in the amount of \$5,403.88.**

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

ITEM 14. PLANNING DEPARTMENT:

A. SUBDIVISIONS:

1. PLAT APPROVAL:

- a. **CAPISALLO TERRACE UNIT 2 - PCT. 1**
- b. **JOSHUA TREE HEIGHTS - PCT. 3**
- c. **LA ESPADA - PCT. 3**
- d. **SHARYLAND HEIGHTS - PCT. 3**

2. FINAL PLAT APPROVAL:

- a. **NEW MONTE CRISTO NO. 2 - PCT. 3**
- b. **LOS CERRITOS UNIT NO. 4 - PCT. 4**
- c. **RINCON DEL VALLE NO. 3 - PCT. 4**

3. FINAL PLAT APPROVAL WITH LETTER OF CREDIT

- a. **COTTON ESTATES PHASE II - PCT. 1**
- b. **CARDINAL POINT - PCT. 4S**

14A1/a

Emilio Garcia stated that this subdivision was approved by the City of Mercedes. All improvements have been made in accordance with the City of Mercedes and the County. Upon his recommendation, **a motion was made by Commissioner Handy and was seconded by Commissioner Rosel to give plat approval to Capisallo Terrace Unit 2 in Pct. 1 as presented.**

***MOTION CARRIED
(EXHIBIT R)***

14A1/b

Mr. Garcia stated that improvements have been made in accordance with the county regulations. This was preliminarily approved August 6, 1996. **A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to give final plat approval to Joshua Tree Heights as presented.**

***MOTION CARRIED
(EXHIBIT R)***

14A1/c

Mr. Garcia stated that this subdivision is in the ETJ of Mission. All requirements have been met. Upon the recommendation of Mr. Garcia, **a motion was made by Commissioner Rosel and was seconded by Commissioner Handy to give final plat approval to La Espada in Pct. 3 as presented.**

***MOTION CARRIED
(EXHIBIT R)***

14A1/d

Mr. Garcia stated that this subdivision was approved by the City of McAllen and it is in their ETJ. All requirements have been met in accordance to their regulations. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces and Arcaute to approve Sharyland Heights Subdivision in Pct. 3 as presented.**

***MOTION CARRIED
(EXHIBIT R)***

14A2/a

Mr. Garcia stated that this subdivision has been being developed since 1995. There was also an extension granted to the developer. This subdivision has now been completed and Mr. Garcia is recommending approval. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to give final plat approval to New Monte Cristo No. 2 as presented.**

***MOTION CARRIED
(EXHIBIT R)***

14A2/b

Mr. Garcia stated that prelim approval was granted in June of 1995. Since then, all improvements have been made. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve Los Cerritos Unit No. 4 as presented.**

***MOTION CARRIED
(EXHIBIT R)***

14A2/c

Mr. Garcia stated that this subdivision has been completed in accordance to the County. Upon the recommendation of Mr. Garcia, **a motion was made by Commissioner Rosel to approve Rincon Del Valle Subdivision No. 3 as presented.**

***MOTION CARRIED
(EXHIBIT R)***

14A3/a

Mr. Garcia stated that this subdivision in the Weslaco ETJ and was approved by them.. He then recommended approval of this subdivision but before the release of the letter of credit, the developer, must comply with item 18 A,B&C. **A motion was then made by Commissioner Handy and was seconded by Commissioner Garces to give final plat approval with the letter of credit to Cotton Estates Phase II as presented.**

**MOTION CARRIED
(EXHIBIT R)**

14A3/b

Mr. Garcia stated that that all requirements have been made and he is recommending approval but before the release of the letter of credit, the developer must comply with item 18A,B&C. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve Cardinal Point as a final plat with a letter of credit.**

**MOTION CARRIED
(EXHIBIT R)**

ITEM 15. URBAN COUNTY:

- A. CITY OF ALTON - PARKS AND RECREATION FACILITY IMPROVEMENTS - CHANGE ORDER #2**
- B. CITY OF SAN JUAN - BUDGET AMENDMENT**
- C. PCT. 1 - BUDGET AMENDMENT**
- D. PCT. 3 - BUDGET AMENDMENT**
- E. COUNTY WIDE - BUDGET AMENDMENT**
- F. COLONIA PLANNING GRANT - PROFESSIONAL SERVICES CONTRACT**
- G. RESOLUTION AUTHORIZING THE COUNTY JUDGE TO ACT AS COUNTY EXECUTIVE OFFICER BETWEEN THE COUNTY OF HIDALGO AND THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS**
- H. HOME - FIRST TIME HOME BUYER CONTRACT AGREEMENT AND LETTER OF COMMITMENT TO MORTGAGE COMPANY**
- I. APPROVAL OF 1997 - YR. 10 UCP ALLOCATION**

15A

Anthony Covacevich stated that this change order was to add days to the contract. The number of days being requested is 11 due to some rainy and cold days to delayed the project. **A motion was made by Commissioner Rosel and was seconded by Commissioner Handy to approve change order #2 increasing the contract with Rio Valley Construction from 130 days.**

**MOTION CARRIED
(EXHIBIT S)**

15B

Mr. Covacevich stated that San Juan wanted to remove \$150,000 from Water and Sewer Improvements and create a land acquisition line item for the right of acquisition of FM 495. **A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to approve the City of San Juan budget amendment request as presented.**

**MOTION CARRIED
(EXHIBIT S)**

15C

Mr. Covacevich stated that Pct. 1 will take \$15,000 from Street Improvements and place it into planning for a street assessment study. **A motion was made by Commissioner Handy and was seconded by Commissioner Arcaute to approve a budget amendment in Pct. 1's budget as presented.**

***MOTION CARRIED
(EXHIBIT S)***

15D

Mr. Covacevich stated that pct. 3 will take \$200,000 from street improvements and place it in the water and sewer improvements. This will assist the City of La Joya in their efforts in building a water plant. **A motion was made by Commissioner Rosel and was seconded by Commissioner Handy to approve a budget amendment in pct. 3's budget as presented.**

***MOTION CARRIED
(EXHIBIT S)***

15E

Mr. Covacevich stated that they will be taking \$5,000 to increase parks and recreation for the Monte Alto basketball court. This amount will help pay for architectural services and the ground testing. They will then move \$15,000 from un-programmed to pay for the analysis of impediments study. This study is required by HUD. **A motion was made by Commissioner Arcaute and was seconded by Commissioner Handy to approve County Wide budget amendments as presented.**

***MOTION CARRIED
(EXHIBIT S)***

15F

Mr. Covacevich stated that this amendment with R.E. Garcia & Assoc. This will be for additional services in the amount of \$3,150 bringing the new amount to \$13,100.15. This project is for the Colonia Muniz in which they are installing septic tanks. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve a professional service contract amendment of \$3,150 to R.E. Garcia & Assoc.**

***MOTION CARRIED
(EXHIBIT S)***

15G

Mr. Covacevich stated that the purpose of the resolution was to authorize the Judge to be the Executive Officer to the Texas Department of Housing and Community Affairs. This will allow him to sign all pertinent documents. **A motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to authorize County Judge to act as County Executive Officer between the County of Hidalgo, Texas Department of Housing and Community Affairs under SB 1509, Colonia Self Help Initiative Project.**

**MOTION CARRIED
(EXHIBIT S)**

15H

Mr. Covacevich stated that there were 4 families that have been approved at this time. **A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to approve First Time HOME BUYER, 4 of them and to award letter of commitment to Frontera, Rio Grande and 2 to Texas Veterans Land Board.**

**MOTION CARRIED
(EXHIBIT S)**

15I

Judge Ruiz opened with a recommendation to keep the cities at \$500,000 and reducing approximately \$5,900 from the advisory board recommendation. The total amount of the reduction is \$21,929.69 for the cities. The reason for this recommendation is to minimize the reduction to County Government which has more of need for these monies. The recommended distribution is that the precincts keep the same amount of allocation as the previous year which is \$412,401.24. They will reduce the County Wide fund by \$13,677.36 and administration by \$15,518.42 in order to fund Palmhurst the amount of \$32,000. Progreso Lakes, Granjeno, Penitas and Progreso will keep the recommended amount by the advisory council. The reason for this figure for Palmhurst is because this was the original allocation that they began with. As they city grows, so will the allocation. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the recommendation for the year 10 funding proposal for Urban County Allocation.**

**MOTION CARRIED
(EXHIBIT S)**

ITEM 16. RIGHT OF WAY:

A. RESOLUTIONS AUTHORIZING CONDEMNATIONS - FM 1015 PROJECT

16A

A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to approve resolution authorizing condemnation on the 3 particular individuals, George V. Harren Jr., Richard M. Harren and Joe T. Harren for the right of way acquisition of FM 1015.

**MOTION CARRIED
(EXHIBIT T)**

ITEM 17. PURCHASING DEPARTMENT:

A. RECOMMENDATION ON AWARD FOR SOLID WASTE COLLECTION AND DISPOSAL FOR PARKS AND PAVILIONS - PCT. 3

- B. RECOMMENDATION ON AWARD FOR ROOF REPLACEMENT AND REPAIRS TO THE HIDALGO COUNTY COURTHOUSE - HIDALGO COUNTY
- C. REQUESTING EXEMPTION FROM COMPETITIVE BIDDING REQUIREMENTS - PERSONAL SERVICES - HIDALGO COUNTY
- D. REQUESTING APPROVAL OF A PERSONAL SERVICES CONTRACT WITH ROBERT SANCHEZ - HIDALGO COUNTY
- E. RECOMMEND BID AWARD FOR MS-1 EMULSIFIED ASPHALT - PCT. 1,2&4
- F. RECOMMENDING BID AWARD ON BIOHAZARDOUS WASTE DISPOSAL SERVICES - HIDALGO COUNTY
- G. AUTHORITY TO PURCHASE NEW 1997 ½ TON PICK UP THROUGH THE INTERLOCAL AGREEMENT WITH THE HOUSTON-GALVESTON AREA COUNCIL - \$15,182.28 - PLANNING DEPARTMENT
- H. RECOMMENDATION AS TO AWARD OF RFP FOR WEB-SITE DEVELOPMENT FOR COUNTY CLERK'S OFFICE
- I. RECOMMENDATION AS TO BID AWARD FOR SUNRISE HILL PARK RENOVATION OF PAVILION - PCT. 1
- J. AUTHORIZATION FOR EXEMPTION FROM BIDDING REQUIREMENTS PROFESSIONAL SERVICES/MEDICAL SERVICES - HEALTH DEPARTMENT
- K. REQUEST APPROVAL OF MEDICAL SERVICES CONTRACT WITH DR. IVAN MELENDEZ - HEALTH DEPARTMENT
- L. REQUESTING EXEMPTION FROM COMPETITIVE BIDDING REQUIREMENT PROFESSIONAL SERVICES/AUDIT SERVICES - ADULT PROBATION DEPARTMENT
- M. APPROVE ENGAGEMENT OF AUDIT FIRM FOR INDEPENDENT AUDIT FOR 1996 - ADULT PROBATION DEPARTMENT
- N. APPROVAL OF CONTRACT WITH RHONDA GILLUM, CPA FOR AUDIT SERVICES FOR INDEPENDENT AUDIT FOR FISCAL YEAR 1996 - ADULT PROBATION DEPARTMENT
- O. RECOMMENDATION AS TO AWARD OF RFP FOR DATA PROCESSING HARDWARE AND SOFTWARE SUPPORT
- P. REQUESTING AUTHORITY TO HAVE LEGAL DEPARTMENT NEGOTIATE AND EXECUTE CONTRACT

17A

Martha Salazar stated that there were two bidders. BFI at \$49.75 each and ABC Waste Collection at \$44.75 each. This is on a per container cost. She is now recommending ABC Waste Collection. The specs called for 13 containers and BFI on called for 8 containers, therefore they did not meet the specs. ABC bid on all 13 containers. After further comments, **a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to accept the low bid from ABC Waste Collection for pct. 3 for parks and pavilions at a fee of \$44.75 per month being the only bid the met specs.**

**MOTION CARRIED
(EXHIBIT U)**

17B

Mrs. Salazar stated that there were 5 bidders of which two did not meet specifications. Of those three bidders that did qualify, the low bid is Rio Roofing at \$98,300. After further comments, **a motion was made by Commissioner Rosel and was seconded by Commissioner Handy to award to low bidder being Rio Roofing Inc.**

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

17C&D

Mrs. Salazar stated that this item had been brought before the court prior to today. This is for a consultant for an MIS System for the Purchasing Department. This consultant will develop and RFP for this system. She felt that this person needed to be someone who was independent. She has interviewed several individuals interested in doing this. She feels that Mr. Sanchez is the one who can accomplish this with the least amount of conflict. The amount of this contract will be for \$3,000. After further brief comments, **a motion was made by Commissioner Handy and was seconded by Commissioner Rosel to exempt him from the bidding procedure under personal services and authorize a contract with Robert Sanchez at a cost of \$3,000 for the preparation of an RFP for turn key installation of an MIS system.**

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

17E

Mrs. Salazar stated that there were 3 bidders. After further comments, she is now recommending Texas Fuel and Asphalt as the low bid. **A motion was made by Commissioner Garces and was seconded by Commissioner Handy to award low bid to Texas Fuel and Asphalt.**

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

17F

Mrs. Stated that there were two bidders. BFI at \$20 per disposal and Envirotech Carriers Inc. at \$18. She is recommending the low bid of Envirotech at \$18. After further comments, **a motion was made by Commissioner Garces and was seconded by Commissioner Arcaute to award bid to the lowest proposal being Envirotech Carriers Inc. which was bid at \$18 per box.**

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

17G

Mrs. Salazar stated that this vehicle was for the Planning Department. The total amount of the vehicle is \$15,182.28. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Arcaute to authorize the purchase of this particular 1997 1/2 ton pickup through our interlocal**

agreement with the Houston-Galveston Area Council. The price for the pickup will be \$15,182.28.

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

17H

Mrs. Salazar stated that there was only one offer on the proposal for the web-site for the County Clerk's Office. The County Clerk is not satisfied with that proposal. The consultant is also not satisfied with this and neither is the Purchasing Agent. She is now recommending the rejection of this proposal. The bidder was Digicom. After further comments, **a motion was made by Commissioner Rosel and was seconded by Commissioner Handy to take all bids under advisement for the bid award under web-site development for the County Clerk's Office.**

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

17I

Mrs. Salazar opened by stating that there were three bids. She is recommending the low bidder of \$35,055 to GAS Enterprises. **A motion was made by Commissioner Handy and was seconded by Commissioner Garces to accept the low bid of GAS Enterprises Inc. for a bid amount of \$35,055 which is the renovation of Sunrise Hill Pavilion.**

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

17J&K

Mrs. Salazar stated that this was in relation to the item by the Health Department earlier in the agenda where one physician retired and they acquired services for that retiree. The new doctor is Dr. Melendez. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve a contract for services between the County of Hidalgo through it's Health Department and Dr. Ivan Melendez not to exceed \$1800 per month.**

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

17L-N

Mrs. Salazar stated that all this were related. They all deal with the Probation Department and their need for an independent audit of yr. 1996. There were some requests for qualifications and there was only one offer, that being Rhonda Gillum. There was some discussion as to why they had to exempt. Upon clarification and further comments, **a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to exempt from the competitive bidding, award a professional service contract to Rhonda Gillum as Independent Auditor for the Adult Probation Department for 1996. Said contract no to exceed the budgeted amount.**

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

17O

Mrs. Salazar stated that this RFP attracted two offers. Hewlett Packard and Ready Smart Systems. She is recommending the response of Hewlett Packard. The cost is \$1564 monthly. **A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to award bid for a one year contract to Hewlett Packard for Data Processing Hardware and Software Support.**

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

17P

NO ACTION

ITEM 18. BUILDINGS AND GROUNDS:

- A. BUDGET AMENDMENT - REPLACEMENT AND REPAIRS ON COURTHOUSE ROOF**
- B. BUDGET AMENDMENT - V.A. ARCHITECTURE**
- C. APPROVAL TO PAY BILLS - V.A. ARCHITECTURE**

18A&B

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve a budget amendment from the general fund in the amount of \$101,075 for the repair and maintenance of the Courthouse Roof.

***MOTION CARRIED
(EXHIBIT V)***

18C

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve all bills as presented.

***MOTION CARRIED
(EXHIBIT V)***

ITEM 19. RESOLUTION FOR WORKERS COMPENSATION COVERAGE FOR ELECTED OFFICIALS

Judge Ruiz stated that this was in relation to elected officials being covered under workman's compensation. This resolution must be passed in order to be covered. **A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to pass resolution including our option to include all elected officials, not only County Commissioners on the workers compensation coverage.**

MOTION CARRIED

(EXHIBIT W)**ADD. #1. APPROPRIATION OF FUNDS FOR THE 1996 RURAL FIRE CALLS**

Judge Ruiz stated that the total amount of the invoices total \$478,446.83 plus some estimates that may clear the County. **A motion was made by Commissioner Garces and was seconded by Commissioner Handy to approve the budget amendment.**

**MOTION CARRIED
(EXHIBIT X)**

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

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. PERMITS:**

- A. CITY OF WESLACO
- B. CITY OF WESLACO
- C. CITY OF WESLACO

(EXHIBIT Y)

Mrs. Etnire stated that there were only two items on the consent agenda. Vona Walker stated that one of these items should have read City of Edinburg. **A motion was made by Commissioner Arcaute and was seconded by Commissioner Handy to approve the Consent Agenda as amended.**

**MOTION CARRIED
(EXHIBIT Y)****REGULAR AGENDA****ITEM 1. PURCHASING DEPARTMENT:**

- A. REQUESTING EXEMPTION FROM COMPETITIVE BIDDING REQUIREMENTS ON PROFESSIONAL SERVICES - AUDIT SERVICES AND RECOMMENDATION OF AUDIT FIRM
- B. RECOMMEND APPROVAL OF CONTRACT FOR BUILDING OF NEW OFFICES TO SOLIS & CHAPA CONSTRUCTION COMPANY

- C. **RECOMMENDATION ON AWARD OF FIVE NEW 1997 FOUR WHEEL DRIVE ½ TON PICKUP TRUCKS**
- D. **DECLARE EQUIPMENT SURPLUS:**
 - 1. **ONE HOUGH FRONT END LOADER**

1A

Martha Salazar opened by stating that this was in relation to the auditing firm for the Drainage District. This was on the agenda the previous week where there was a tie vote due to Comm. Handy departing early. **A motion was made by Commissioner Arcaute. Commissioner Rosel then asked Mrs. Salazar what her recommendation was and she suggested the firm of Long, Chilton, Payte & Hardin. Commissioner Rosel then introduced a motion which was out of order being that Commissioner Arcaute has already introduced a motion. After further comments, the motion by Commissioner Arcaute was seconded by Judge Ruiz. The motion to appoint Juan Nunez, CPA, as the auditor for the Drainage District for year 1996.**

***MOTION CARRIED (COMM. GARCES & ROSEL OPPOSED)
(EXHIBIT Z)***

1B

Commissioner Garces opened with a motion to approve the contract. There was some discussion as to whether legal counsel had reviewed this contract. Judge Ruiz asked Mr. Crain if he had done so and Mr. Crain stated that he has not. Commissioner Garces then rescinded his motion. After further comments, a second motion was then introduced by Commissioner Handy and was seconded by Commissioner Arcaute to take bids under advisement and authorize a contract that is approved by form and content by legal counsel.

***MOTION CARRIED (UNDER ADVISEMENT)
(EXHIBIT Z)***

1C

Mrs. Salazar stated that there were 4 bidders. She is recommending the low bid of Bert Ogden Motors at \$18,694 per unit. The grand total of five vehicles amounts to \$93,470. **A motion was made by Commissioner Handy and was seconded by Commissioner Arcaute to award bid to the low bidder which is Bert Ogden. Low bid of \$18,694 for each 4 wheel drive pickup.**

***MOTION CARRIED
(EXHIBIT Z)***

1D

A motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to authorize the declaration of equipment surplus which is a Hough Front End Loader.

***MOTION CARRIED
(EXHIBIT Z)***

ITEM 2. AUTHORIZATION TO PARTICIPATE AND ADVERTISE FOR BIDS IN A JOINT PROJECT WITH THE CITY OF WESLACO FOR DRAINAGE IMPROVEMENTS

Judge Ruiz stated that this item had been tabled previously at the request of Commissioner Rosel to see what this project entailed. He has since done so. The project is an irrigation ditch right of way. They will try to move this drainage ditch further south in order to enhance their economic development to create more jobs in the area. The cost of the project for the County is to be \$155,385 of which the City of Weslaco will be adding \$25,000 and also the developer has already covered a portion of the ditch which cost him approximately \$60,000. **A motion was then made by Commissioner Handy and was seconded by Commissioner Arcaute to approve.**

***MOTION CARRIED (COMM. GARCES AND ROSEL OPPOSED)
(NO EXHIBIT)***

ITEM 3. APPROVAL TO CREATE TEMPORARY CLERICAL POSITION AND SET SALARY

Vona Walker stated that this is due to one of her secretaries leaving. This will allow for the new to be trained by the departing one. There is enough money in her 03 category. Ms. Walker will wind up having to advertise twice if she takes this route according to personnel. She wanted to advertise for this position as a temporary to turn into a permanent but personnel would not allow it. Judge Ruiz suggested creating a permanent position and then deleting the position that will be vacated so that they only have to advertise once. Ms. Walker stated that she had tried but was not allowed. The Commission was not content with this the way it was being done. The process has been started. **A motion was then made by Commissioner Rosel and was seconded by Commissioner Handy to create a temporary clerical position and set salary at \$7.00 per hour.**

***MOTION CARRIED
(EXHIBIT AA)***

A motion was made by Commissioner Arcaute and was seconded by Commissioner Rosel to adjourn Drainage District.

MOTION CARRIED

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