

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

CONSENT AGENDA

ITEM 1. APPROVAL OF CHECK REGISTER AND PAYMENT OF CLAIMS/BILLS - COUNTY AUDITOR

GENERAL FUND - #128669 - #128896 - \$483,807.68
SPECIAL REVENUE FUND - #127985 - #128138 - \$519,151.61
TRUST AND AGENCY FUND - # 6146 - # 6169 - \$134,108.86

(EXHIBIT A)

ITEM 2. APPROVAL OF MONTHLY COLLECTION REPORT:

A. COUNTY CLERK - \$223,905.51 - FEBRUARY
B. SHERIFF'S OFFICE - \$46,320.52 - JANUARY
C. JUSTICE OF THE PEACE RENE TORRES - \$13,999.60 - JANUARY

(EXHIBIT B)

ITEM 3. PLANNING DEPARTMENT:

A. SUBDIVISIONS:
1. NORTHGATE WOODS SUBDIVISION - PCT. 1
2. RENE AND EDNA SUBDIVISION - PCT. 3
3. TRENTON STREET SUBDIVISION - PCT. 4
4. SHARY GARDENS SUBDIVISION - PCT. 3
5. AMENDED PLAY OF SOUTHWEST ESTATES PHASE III - PCT. 4

(EXHIBIT C)

ITEM 4. PERMITS:

A. PCT. 1 - SOUTHWESTERN BELL TELEPHONE
B. PCT. 2 - SOUTHWESTERN BELL TELEPHONE
C. PCT. 4 - SOUTHWESTERN BELL TELEPHONE
D. PCT. 4 - CITY OF EDINBURG

(EXHIBIT D)

ITEM 5. INTERNAL LINE ITEM TRANSFERS:

A. CONSTABLE PCT. 2 - \$ 220.00
B. COUNTY TREASURER - \$ 55.00
C. JUSTICE OF THE PEACE PCT. 1, PL. 2 - \$ 160.00
D. WIC - \$30,000.00
E. COUNTY AUDITOR - \$ 6,799.69

(EXHIBIT E)

Judge Ruiz opened by stating that there were no changes to the agenda. A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to approve the Consent 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 551.071 & 551.072 TO DISCUSS THE FOLLOWING MATTER:

A. LITIGATION:

1. **CONSULTATION WITH ATTORNEY**
2. **DELIBERATION REGARDING REAL PROPERTY**

At this time, the Commission went into executive session.

ITEM 2. OPEN SESSION:

A. LITIGATION:

1. **CONSULTATION WITH ATTORNEY**
2. **DELIBERATION REGARDING REAL PROPERTY**

2A1

NO ACTION

2A2

Judge Ruiz state that the tax attorney recommended to the Court the acceptance of a tax resale in the amount of \$36,000 which is close to 99% of what was due in taxes. A motion was made by Commissioner Garces and was seconded by Commissioner Handy to authorize the County Judge to sign the Tax Resale Lien.

MOTION CARRIED

Judge Ruiz stated that there was another property in the City of Weslaco. There were approximately \$112,000 owed and the bid received for the resale was \$60,000. The city and the ISD have accepted this resale. This amount does meet the appraised value. A motion was made by Commissioner Arcaute and was seconded by Commissioner Handy to authorize the County Judge to sign tax resale lien.

MOTION CARRIED

REGULAR AGENDA

ITEM 1. COUNTY JUDGE:

- A. **APPROVAL OF INTERNAL LINE ITEM TRANSFER - CONTRACTUAL SERVICES TO MEMBERSHIP DUES**
- B. **APPROVAL TO PAY BILL - AMIGOS DEL VALLE - \$3,500**
- C. **APPROVAL TO RECLASSIFY VACANT POSITION #31 FROM MAINTENANCE SUPERVISOR TO ADMINISTRATIVE CLERK/BUDGET CLERK**
- D. **APPROPRIATE 1997 BUDGET - COURTHOUSE SECURITY - \$25,000**
 1. **7-07-419-200.14 - OFFICE SUPPLIES - \$1,000**

2. **7-07-419-200.61 - MAINTENANCE REPAIRS - \$3,000**
3. **7-07-419-200.36 - MAINTENANCE SUPPLIES - \$1,000**
4. **7-07-419-200.64 - REPAIR & MAINTENANCE - \$8,000**
5. **7-07-419-200.95 - EQUIPMENT - \$12,000**

**1A
NO ACTION**

1B

Judge Ruiz stated that this bill was the fees paid for participation in the services of Amigos Del Valle. The amount is \$3,500. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to give authority to pay \$3,500.

**MOTION CARRIED
(EXHIBIT F)**

1C

Judge Ruiz stated that this was the Maintenance Department. This has been discussed with Raul Hernandez. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve.

**MOTION CARRIED
(EXHIBIT F)**

1D1-5

Judge Ruiz stated that this was in the budget and there was no amendment. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces and Handy to appropriate 1997 budget of Courthouse Security in the amount of \$25,000 as prescribed.

**MOTION CARRIED
(EXHIBIT F)**

ITEM 2. RAMIRO M. GUERRA YOUTH VILLAGE:

- A. **APPROVAL AND ACCEPTANCE OF CONTRACT WITH CAMERON COUNTY TO PROVIDE RESIDENTIAL SERVICES FISCAL YEAR 1997 REIMBURSEMENT AMOUNT - \$40.00 FOR BOYS AND \$50.00 FOR GIRLS**

2A

Amado Martinez stated that this was for the residential services. This has been approved by Legal Counsel. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to approve a contractual agreement with Cameron County to provide residential services for fiscal year 97 with a reimbursement amount of \$40.00 for boys and \$50.00 for girls.

**MOTION CARRIED
(EXHIBIT G)**

ITEM 3. HEALTH DEPARTMENT:

- A. **APPROVAL OF TUBERCULOSIS ELIMINATION DIVISION GRANT #7460007176-98 IN THE AMOUNT OF \$301,456.00**
- B. **AUTHORIZATION TO SET SALARIES AS FUNDED BY THE TEXAS DEPARTMENT OF HEALTH**
- C. **AUTHORIZATION TO RE-APPROPRIATE 1996 HEALTH CLINIC FUNDS INTO THE 1997 HEALTH CLINIC FUNDS IN THE AMOUNT OF \$85,000 FOR PULMONARY CLINIC**
- D. **AUTHORIZATION FOR COUNTY AUDITOR TO PAY WITH MANUAL CHECK INVOICE #001, PROJECT #970101 PAYABLE TO ALVARADO ARCHITECT IN THE AMOUNT OF \$3,530.25**

3A

James Michael Keenan addressed the Court and stated that this was a renewal grant. This is used for TB control. After further comments, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the Tuberculosis Elimination Division Grant in the amount of \$301,456.

**MOTION CARRIED
(EXHIBIT H)**

3B

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve the setting of salaries as funded by the Department of Health.

**MOTION CARRIED
(EXHIBIT H)**

3C

Mr. Keenan stated that these monies were grant funds that needed to be carried over. This money was set aside for the renovation of the pulmonary clinic. After further comments, a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the re-appropriation of 1996 Health Clinic Funds which are general fund monies for the Pulmonary Clinic construction.

**MOTION CARRIED
(EXHIBIT H)**

3D

Mr. Keenan stated that this invoice was the schematic design of the clinic. The money for this is budgeted. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to authorize the County Auditor to authorize and manual check for invoice #001 dated January 31 to Alvarado Architect in the amount of \$3,530.25.

**MOTION CARRIED
(EXHIBIT H)**

ITEM 4. COUNTY AUDITOR:

- A. **CHANGE JOB TITLE FOR POSITION #7 ON 1997 SALARY SCHEDULE FROM ACCOUNTANT/BOOKKEEPER TO DIRECTOR OF ACCOUNTING DIVISION**
- B. **APPROVAL TO TRANSFER \$3,244.17 FROM POSITION #32 (INTERNAL AUDITOR) TO POSITION #7 (DIRECTOR OF ACCOUNTING DIVISION AND SET SALARY**

4A

A motion was made by Commissioner Rosel and was seconded by Commissioner Handy to authorize the job title change in the County Auditor's Budget, changing position 7 from Accountant/Bookkeeper to Director of Accounting.

**MOTION CARRIED
(EXHIBIT I)**

4B

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to authorize a transfer of funds in the amount of \$3,244.17 from position 32 in the County Auditor's Office to position 7, giving commensurate salary to the Director of Accounting Division.

**MOTION CARRIED
(EXHIBIT I)**

**ITEM 5. APPROVAL OF RESOLUTION REGARDING STAGGERED TERMS TO PREVIOUSLY
APPROVED MH/MR BOARD MEMBERS AS FOLLOWS**

Judge Ruiz stated that the board has met to draw lots for staggered terms. These terms are approved by the board. Judge Ruiz proceeded to state the length of terms for the members as per the exhibit. A motion was then made by Commissioner Arcaute and was seconded by Commissioner Handy to approve resolution authorizing staggered terms as prescribed for the five members of the MH/MR Board approved by Commissioner's Court.

**MOTION CARRIED
(EXHIBIT J)**

ITEM 6. PLANNING DEPARTMENT:

- A. **SUBDIVISIONS:**
 - 1. **EURESTE ESTATES SUBDIVISION - PCT. 4**
- B. **PRELIMINARY PLAT APPROVAL:**
 - 1. **BASELINE SUBDIVISION - PCT. 1**
 - 2. **JOEY SUBDIVISION - PCT. 1**
 - 3. **MOOREFIELD GROVES ESTATES NO. 2 - PCT. 3**
 - 4. **MOOREFIELD GROVES ESTATES NO. 3 - PCT. 3**
- C. **DISCUSSION AND POSSIBLE ACTION ON SECTIONS:**
 - 1. **3.40.1 - RESIDENTIAL SUBDIVISIONS**
 - 2. **9.2 - STREETS**

6A1

Emilio Garcia stated that this subdivision was in the rural area of the County. He did recommend approval. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel. Commissioner Arcaute brought up the issue that this was in an AH Flood Zone. Mr. Garcia stated that there was an elevation determination by FEMA for this subdivision and it does meet that elevation. After the discussion that ensued regarding the elevation, Commissioner Garces withdrew his motion and the Commission took no action.

**NO ACTION
(EXHIBIT K)****6B1**

Mr. Garcia stated that this subdivision was in pct. 1. It was located in a B zone flood area. Mr. Garcia is recommending prelim approval subject to item 18a,b&c. Commissioner Arcaute stated that this subdivision refers to a map from FEMA from 1981. Mr. Garcia stated that this has not been revised. Commissioner Handy stated that at this time, this area is under water. They are currently pumping water out of this subdivision. The Commission has some concerns regarding the flooding in this area. This subdivision is the proposed phase I of II. After some discussion, the Commission decided to look at this subdivision further before taking any action. No further action was taken.

**NO ACTION
(EXHIBIT K)****6B2**

Mr. Garcia stated that this subdivision was also in Pct. 1 within the ETJ of Mercedes. He is also recommending prelim approval of this subdivision. There were some concerns with this subdivision on behalf of the Commission as well. No further action was taken.

**NO ACTION
(EXHIBIT K)****6B3**

Mr. Garcia stated that this has been approved by the City of Mission. This subdivision is in a C zone flood plain. Mr. Garcia went on to state that all prelim requirements have been met and he is recommending approval. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces. Commissioner Arcaute stated that he is against all curb and gutter subdivisions that are not in the incorporated areas of the County. During further comments, it was stated that this subdivision does not connect to the County's drainage ditch. It was clarified that it does. Following this brief discussion, the motion to approve Moorefield Groves Estates No. 2 including the condition by the City of Mission that a safety guard in the subdivision and the irrigation canal.

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

6B4

Judge Ruiz opened by asking if this subdivision adjacent to No. 2. Ms. Walker stated that it was not, it was across the street. Mr. Garcia is recommending approval subject to the conditions of item 6B3. There was some items that needed to be cleared before the approval of this subdivision such as a portion of this subdivision being in the A zone flood plain which is all it takes to flood a subdivision. Mr. Garcia stated that he was not aware that this was the case being that it is not on the subdivision plat. He would like to have this not acted upon until he can verify this. No further action was taken.

**NO ACTION
(EXHIBIT K)****6C1**

Emilio Garcia opened by stating that he had been contracted by several developers concerning the interpretation of this section. The Attorney General's Office has their opinion that a subdivision is presumed to be residential if it involves a parcel of land into 4 or more tracts for residential use. The intent is for residential use if the land is 5 acres or less. What they have been doing is that if the developer was breaking up a 20 acre tract as 4 tracts, they must properly subdivide the land into a subdivision plat. Again this was according to the AG's Office. Judge Ruiz felt that there were two issues. He stated that no portion of land is divided in tracts of 5 acres or smaller. There are some developers that have done an exact 5 acre tract. He reiterated what the opinion was which stated 5 acres or less. He did not feel that the intent was to eliminate 5 acre tracts and make them 5.1 acres. He also feels that this is just a mis-wording. There are several subdivisions in the County which are exactly 5 acres and they are encountering problems with the AG because they are 5 acre tracts. No more, no less. Commissioner Arcaute asked if this meant gross or net. Mr. Garcia stated that it was gross including the road right of way. The way it stands now, if it is 5 acres or smaller, you have to subdivide. The intent is no less than 5 acres. This way, 20 acres can be subdivided into 4 parcels of 5 acre tracts. With this opinion, you cannot. It has to be 5.1 acres. The next issue is that as soon as it is divided into 4 or more parcels, it is presumed by the AG that it is residential. This not the case either. If someone wants to divide a 30 or 40 acre tract into 5 acre parcels, you have to plat it because it is residential. Judge Ruiz went on to state that to him a developer does not have a problem with a 5 acre tract, he has a problem with the intent of the law because it is a 5 acre tract and they did not plat it because 4 or more is intended to be residential. For the purpose of the County's Subdivision Regulations, they want to say no less than 5 acres and that should be the interpretation. Commissioner Garces asked if there was any correspondence from the AG on whether net or gross and Mr. Garcia stated that there was and the attorney interpreted the statement stating that if a tractor of land can 4.85 because of the road right of way being excluded, then it must be subdivided. Commissioner Rosel wanted to clarify the position of the Court, which was the interpretation was no less than 5 acres. Judge Ruiz stated that they needed to give direction to the planning department. Judge Ruiz stated to Mr. Garcia that he thought the easements counted, but only certain types of easements, and right of ways do not, neither do corner clips, road easements. Swells, utility easements, irrigation easements do count. This is because those measurements are included in the measurements of the property by not the road right of way. After further comments, Judge Ruiz recapped that he wanted our subdivision

regulations to read under the section that applies to sub-chapter B, that tracts of land not be subdivided into tracts of no less than 5 acres. He also wants to add that it is presumed to be intended for residential use if the lot of no less than 5 acres is 4 lots or more than 5 acres. Steve Crain clarified what Judge Ruiz was attempting to say. He stated that the subdivision is presumed to be a residential subdivision if it involves the division of a parcel of land into four, there intended for residential use. A lot is presumed to be intended for residential use if the lot is 5 acres or less. **Judge Ruiz again reiterated and stated that to avoid the mis-interpretation of the AG saying into tracts 5 acres or smaller, they are saying no less than 5 acres.** Commissioner Garces so moved and was seconded by Commissioner Rosel.

**MOTION CARRIED
(EXHIBIT K)**

6C2

This item is related to the streets in a subdivision. Mr. Garcia read some correspondence that was sent to him by legal counsel. The Commission is determining whether or not they want the developer to escrow monies. The way it stands now, when a subdivision abuts a county road, it has to be paved if it is unpaved and the county makes the developer escrow 50% of the funds to pay for the paving and the county pays the rest. The Commission feels that this amount should be less. Mr. Crain feels that the problem with this is that if they do this, there may be a neighbor across the street that gets caught in the middle. That neighbor may be forced to pay for something that he is not doing. After further comments concerning the Commission splitting this amount 3 ways, the Commission arrived at the decision that the right of way would be based on the MPO and the paving would be based on the county standards. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to re-word the regulations to pave ½ of the normal paving width required for such a road in accordance with County specifications and the legal right of way based on the MPO.

**MOTION CARRIED
(EXHIBIT K)**

THIS IS TO BE EFFECTIVE MAY 1, 1997.

**ITEM 11. DISCUSSION AND ACTION ON NEEDS ASSESSMENT FOR HIDALGO COUNTY
BUILDING AND RENOVATION PROJECTS
A. COMMUNITY ORIENTED PRIMARY CARE CLINIC (C.O.P.C.)**

11A

Judge Ruiz stated that this had been discussed previously. At that time, he stated that he would bring back some type of budget for this project. He now has a preliminary cost estimate to build this clinic in the McAllen area. The estimate is approximately 2.4 million of which 1.8 would be the cost for the building alone. The total amount includes equipment and all necessities. He has discussed this with Dr. Ramiro Casso and they are trying to possibly fund this through STCC. This could possibly be tied to Texas A&M. Dr. Casso addressed the Court and stated that they are at the stage where a small clinic is functioning and it has been since January. They are still in need of a bigger & better facility. The current clinic is currently being funded by the City of

McAllen. He feels that this could be funded for 1.5 million where they would have to reduce the amount of space but should still be adequate. There was a discussion that ensued where Sister Maria Sanchez and Yolanda Montemayor addressed the Court and voiced the need for this clinic. Following these comments, A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to forge forward and put a budget together and include this in the financial scheme.

**MOTION CARRIED
(NO EXHIBIT)**

ITEM 7. URBAN COUNTY:

- A. CITY OF LA VILLA - APPROVAL OF LEASE PURCHASE - PFI - FIRE STATION EQUIPMENT (YR. 9) FY - 1996
- B. HOME - FIRST TIME HOMEBUYER CONTRACT AGREEMENT AND LETTER OF COMMITMENT TO MORTGAGE COMPANY (2 FAMILIES)
- C. CITY OF WESLACO - HOME - HOUSING REHABILITATION PROGRAM - CONSTRUCTION CONTRACT AWARD
- D. EXTENSION ON LETTER OF COMMITMENT TO MORTGAGE COMPANY ON HOME FIRST TIME HOMEBUYER CONTRACT AGREEMENT (1 FAMILY)
- E. APPROVAL TO ENTER INTO A CONTRACT WITH COLONIAS DEL VALLE AS A COMMUNITY HOUSING DEVELOPMENT ORGANIZATIONS (CHDO'S) FOR COUNTY'S FY 93 & 95 HOME PROGRAM FOR ACQUISITION AND REHABILITATION UNDER THE RENTAL REHABILITATION PROGRAM

7A

Anthony Covacevich stated that this was the approval of a purchase of a fire truck. The amount of the truck is \$66,878 in three annual payments of \$25,239.42. A motion was made by Commissioner Handy and was seconded by Commissioner Arcaute to approve the lease purchase agreement between the City of La Villa, County of Hidalgo, Neal Assoc. as sole bidders in the amount of \$66,878 with three annual payments of \$25,239.42.

**MOTION CARRIED
(EXHIBIT L)**

7B

Mr. Covacevich stated that this was two families that have met the qualifications and he is recommending approval of the \$3,000 deferred grant. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve two first time home buyer contract agreements and letter of commitment to mortgage companies, Texas State and Mortgage Market.

**MOTION CARRIED
(EXHIBIT L)**

7C

Mr. Covacevich state that this was for the rehab of 4 dwelling units in Weslaco. There were 2 bidders and he is recommending the low bid of Lerma

Construction for bid option #1 in the amount of \$53,000. A motion was made by Commissioner Handy and was seconded by Commissioner Arcaute to authorize a contract award to Lerma Construction of \$53,000 as low bidder for housing rehab in the City of Weslaco.

**MOTION CARRIED
(EXHIBIT L)**

7D

Mr. Covacevich stated that recently, they limited the amount of time that commitments are made to first time home buyers to 90 days. This family is now asking for an extension for another 90 days because they have changed contractor. A motion was made by Commissioner Garces and was seconded by Commissioner Handy to approve the extension of letter of commitment to mortgage company which is Texas Veterans Land Board and to the first time home buyer contract agreement.

**MOTION CARRIED
(EXHIBIT L)**

7E

Mr. Covacevich stated that this was a CHDO agreement with Colonias Del Valle and the County. This entity has been qualified as a CHDO for \$100,000. This money will be used for acquisition and rehab under the home program. They will be using 1993 monies in the amount of \$88,637.50 and 1995 monies in the amount of \$11,362.50. A motion was made by Commissioner Garces and was seconded by Commissioner Rosel to approve a contract between Colonias Del Valle and the County of Hidalgo through it's Community Housing Development Organization for home program for acquisition rehabilitation of rental rehabs.

**MOTION CARRIED
(EXHIBIT L)**

ITEM. 8. PURCHASING DEPARTMENT:

- A. **REQUESTING APPROVAL TO AWARD BID OF 15 PASSENGER WINDOW VAN - ADULT PROBATION**
- B. **REQUESTING APPROVAL TO AWARD BID OF ONE ¾ TON PICKUP TRUCK - PCT. 2**
- C. **REQUESTING APPROVAL TO AWARD BID OF RENTAL SPACE IN THE CITY OF SAN JUAN - WIC**
- D. **REQUESTING AUTHORITY TO ADVERTISE FOR DRAINAGE IMPROVEMENTS FM 1427 WITH TWO OPTIONS:**
 1. **BIDDERS TO PROVIDE MATERIALS AND LABOR**
 2. **BIDDERS TO PROVIDE MATERIAL ONLY**
- E. **REQUESTING APPROVAL TO EXTEND CONTRACT FOR CRUSHED CALICHE FOR 60 DAYS TO AVOID A LAPSE IN SERVICE - PCT. 1, 2 & 4**
- F. **AUTHORITY TO ADVERTISE FOR CRUSHED CALICHE PCT. 1, 2 & 4**
- G. **REQUESTING AUTHORITY TO ADVERTISE FOR HIGHWAY DIESEL FUEL FOR HIDALGO COUNTY**

- H. REQUESTING EXEMPTION FROM COMPETITIVE BIDDING REQUIREMENTS FOR PROFESSIONAL SERVICES/RESIDENTIAL PROGRAMS AND TWO NON-RESIDENTIAL PROGRAMS/PSYCHOLOGISTS - JUVENILE PROBATION
- I. REQUESTING APPROVAL OF 6 RESIDENTIAL PROGRAM CONTRACTS AND 2 NON-RESIDENTIAL PROGRAMS/PSYCHOLOGISTS - JUVENILE PROBATION
- J. APPROVAL OF CONTRACT WITH RIO ROOFING, INC. FOR ROOF REPLACEMENT AND REPAIRS TO THE HIDALGO COUNTY COURTHOUSE IN THE AMOUNT OF \$98,300.00

8A

Martha Salazar stated that there were two bidders. She is recommending Bert Ogden at \$19,090. A motion was made by Commissioner Garces and was seconded by Commissioner Handy to award a purchase of a 15 passenger window van to the low bidder be it Bert Ogden.

**MOTION CARRIED
(EXHIBIT M)**

8B

Mrs. Salazar stated that there were 3 bidders. She is recommending Bert Ogden Motors at \$19,575. A motion was made by Commissioner Arcaute and was seconded by Commissioner Handy to award bid to the low bidder which is Bert Ogden Motors for the purchase of ¾ ton diesel pickup.

**MOTION CARRIED
(EXHIBIT M)**

8C

Mrs. Salazar stated that there were 2 bidders. She is recommending the low bid for 521, 523 Nebraska at 48 cents per square foot for a total of \$1,680 which is Loma Linda. A motion was made by Commissioner Handy and was seconded by Commissioner Arcaute to award bid to the low bidder, 48 cents per square foot which is John G. Phillips for 523 to 521 S. Nebraska.

**MOTION CARRIED
(EXHIBIT M)**

8D1&2

There were some questions that members of the Commission and Legal Counsel had concerning this and they wanted to look at this further. No action was taken.

NO ACTION

8E

Mrs. Salazar stated that she has spoken with the present vendor and he is amenable to this extension. A motion was made by Commissioner Garces and was

seconded by Commissioner Arcaute to authorize an extension of contract with Valley Caliche, County of Hidalgo for 60 days for services for pct. 1, 2 & 4.

**MOTION CARRIED
(EXHIBIT M)**

8F

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

**MOTION CARRIED
(EXHIBIT M)**

8G

Mrs. Salazar stated that this bid expires April 30th. A motion was made by Commissioner Garces and was seconded by Commissioner Handy to authorize the advertisements for bids for the purchase of Highway Diesel Fuel for the County of Hidalgo.

**MOTION CARRIED
(EXHIBIT M)**

8H

A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to authorize the exemption from the bidding procedure under medical professional services for the residential program and the two non residential program psychologists for juvenile probation.

**MOTION CARRIED
(EXHIBIT M)**

8I

A motion was made by Commissioner Garces and was seconded by Commissioner Handy to approve 6 residential program contracts and 2 non-residential programs which are the psychologist for services for juvenile probation.

**MOTION CARRIED
(EXHIBIT M)**

8J

A motion was made by Commissioner Garces and was seconded by Commissioner Rosel and Arcaute to authorize a contractual agreement between the County of Hidalgo and Rio Roofing Inc. for roof replacement and repairs at the Hidalgo County Courthouse. Contract amount is \$98,300.

**MOTION CARRIED
(EXHIBIT M)**

ITEM 9. CONTRACT WITH VALLEY CHAMBER OF COMMERCE IN THE AMOUNT OF \$23,500

**FOR ECONOMIC DEVELOPMENT STUDY - MAJOR LEAGUE BASEBALL
TRAINING CON-
CEPT**

Judge Ruiz stated that the amount of this agreement is \$50,000 of which the County's portion is \$23,500. Cameron County will also enter into a separate contract. A motion was made by Commissioner Rosel and was seconded by Commissioner Handy to approve the economic development program agreement along with a cost of \$23,500.

**MOTION CARRIED
(EXHIBIT N)**

**ITEM 10. APPROVAL TO ADVERTISE FOR BIDS TO LEASE SPACE IN McALLEN
AND WESLACO**

**FOR THE OFFICE OF EMPLOYMENT AND TRAINING HIDALGO/WILLACY
- CURRENT**

**FACILITIES DO NOT MEET ADA OR LOCAL FIRE CODES THIS IS
NECESSARY FOR
STATE COMPLIANCE**

Dick Dickinson addressed the Court and stated that since the original lease with these cities, they have outgrown these areas. The leases are about to expire on June 30. They will be allowed a transition period in which to find a suitable place. After further comments, a motion was made by Commissioner Garces and was seconded by Commissioner Rosel to authorize the advertisement for bids for lease space in McAllen and lease space in Weslaco as per specification lined out by OET Director.

**MOTION CARRIED
(EXHIBIT O)**

**ITEM 12. DISCUSSION AND POSSIBLE ACTION ON LEGISLATION PERTAINING
TO COUNTY**

GOVERNMENT

- A. SENATE BILL NO. 306 BY HAYWOOD
- B. SENATE BILL NO. 436 BY LUCIO
- C. HOUSE BILL NO. 959 BY HINOJOSA
- D. HOUSE BILL NO. 1740 BY HINOJOSA
- E. SENATE BILL NO. 182 BY SHAPIRO
- F. SENATE BILL NO. 252 BY LUCIO
- G. SENATE BILL NO. 478 BY SHAPIRO
- H. HOUSE BILL NO. 92 BY BRIEMER
- I. HOUSE BILL NO. 341 BY SOLOMONS
- J. HOUSE BILL NO. 395 BY CUELLAR
- K. HOUSE BILL NO. 1262 BY CHRISTIAN
- L. HOUSE BILL NO. 1693 BY HINOJOSA
- M. HOUSE BILL NO. 1737 BY OLIVAREZ

The Court took up these bills one by one as per the exhibit. Their intent is to support or not support any particular bill.

12A

This bill will give the County the authority to provide an ordinance against fire works during a drought. The Commission was in favor. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to endorse senate bill 306 by Haywood.

**MOTION CARRIED
(EXHIBIT P)****12B**

This bill pertains to the fees charged by the County Clerk. Mr. Lucio intends to allow the \$5 fee charged by the Clerk for records management to be allocated solely at the discretion of the County Clerk. In addition, the Clerk will have the discretion to have an additional \$10 fee for records management to also be allocated by the discretion of the County Clerk. The Commission did not agree with this bill. The Commission would like to support the current legislation which is that money is budgeted by the Commission. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to endorse the concept with the understanding that the monies be budgeted through Commissioner's Court versus discretionary by the County Clerk.

**MOTION CARRIED
(EXHIBIT P)****12C**

This bill by Mr. Hinojosa proposes 412th and 413th District Court. Paul Vazaldua has spoken with the District Judge separately and they support both courts but at the very least, one. This would be a general court. The Commission did not agree with this because the County was not in the position to fund more than one Court and that one should be addressed as a criminal court. After further comments, a motion was made by Commissioner Rosel and was seconded by Commissioner Garces to reject both bills, senate bill 1777 and house bill 959 and request that our legislators look at increasing the authority to County Court at Law and also possibility of eliminating a County Court and making it a District Court.

**MOTION CARRIED
(EXHIBIT P)**

The next bill is to address the travel of the Drainage District Director and it has yet to be filed. This will allow him up to \$7200 for travel. This bill missed the deadline for the house but it still can be filed in the senate being that the senate has no deadline for filing. **A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to endorse.**

**MOTION CARRIED
(EXHIBIT P)****12E**

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

**MOTION CARRIED
(EXHIBIT P)**

12F

Mr. Vazaldua stated that this bill has passed the full senate. This bill has to do with the removal of an official in office without a conviction. This would just be simply on a charge or indictment. There are various reasons such as official misconduct. Judge Ruiz felt that they should address state officials as well. The Commission had some concerns with this bills. Judge Ruiz felt that this bill should be voted down. After further comments, a motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to reject.

**MOTION CARRIED
(EXHIBIT P)**

12D

Mr. Vazaldua stated that this bill would place a cap on the salary based on population. With this bill, there would be a maximum while not mentioning a minimum. The Commission was split on this issue as some felt they should get paid more and some felt that they should stay at current salaries. After further comments, a motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to reject the bill.

**MOTION CARRIED (JUDGE RUIZ VOTED IN FAVOR OF REJECTION) (COMM. ROSEL & HANDY OPPOSE)
(EXHIBIT P)**

12G

NO ACTION

12H

The Commission was in favor of this bill. This will be an effort to bring sports to the County. A motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to endorse house bill 92.

**MOTION CARRIED
(EXHIBIT P)**

12I&K

Mr. Vazaldua stated that there are several bills out which address the reimbursement for housing of inmates. These two bills deal with this issue and are the two bills of concern. They were rejected to the sub-committee for further review. After further comments, a motion was made by Commissioner Arcaute and was seconded by Commissioner Garces to endorse bills 341 and 1262.

**MOTION CARRIED
(EXHIBIT P)**

12J
NO ACTION

12L

Mr. Vazaldua stated that this was related to the housing of inmates in a state facility. The attempt of this bill is to help alleviate the overcrowding. He believes this will be come part of the bills concerning the inmates. A motion was made by Commissioner Rosel and was seconded by Commissioner Garces to endorse.

MOTION CARRIED
(EXHIBIT P)

12M

Mr. Vazaldua stated this bill would require the Commission to notify adjacent land owners, lease holders and easement owners before a plat is approved to include variances. There will be public hearing concerning this. The Commission did not agree with this issue. They felt that this would prolong the process. They have an extensive process as is. Judge Ruiz stated that he could see this if it only concerned subdivisions in the rural areas. Mr. Crain clarified that that is what this bill is addressing. After further comments, a motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute not to endorse this bill.

MOTION CARRIED
(EXHIBIT P)

This next bill has not yet been filed. It relates to the creation of an emergency services district. This bill has to do with the creation of fire districts. It was drafted by the County. It will address the fire calls as well as ambulance service. In order for this to take place, they would have to abolish the precinct fire districts and create a countywide district. There was some opposition to this bill when it was originally drafted. After some discussion, a motion was made by Commissioner Rosel and was seconded by Commissioner Arcaute to endorse this bill.

MOTION CARRIED (COMM. GARCES OPPOSED)
(EXHIBIT P)

ADD. #1. PCT. 1:

**A. DISCUSSION AND ACTION ON EMERGENCY EQUIPMENT AND
TEMPORARY PERSONNEL NECESSARY TO ADDRESS THE PCT. 1
FLOOD DISASTER**

1A

Comm. Handy addressed the Court and stated that she is need of help in her area due to the flooding. She gave a report on the amount of damage that was done to the area. The video showed the extent of the flood. She proceeded to than the entities that help here in this time of need. Raul Lozano also addressed the Court and gave an overview of the damage that was done. He stated that they are requesting additional personnel and equipment to attempt to repair some of the damage that they can fix such as roads and ditches. They are estimating that it will take 4 to 6 months to

bring these areas back to order. There are still some estimates that needed be gathered. Their personnel have put in approximately 931 hours of overtime to this event. Judge Ruiz stated that he will work with Comm. Handy to address this issue budget wise as quickly as possible. During further comments, Leo Rodriguez also addressed the Court and verified the information given by the Commissioner. He gave a report of the ditches in the area and offered a possibility as to why this happened. The reason for this in his opinion was because subdivisions were not properly set up for drainage. The Commission was in agreement to send some help to pct. 1 to help with the clean up. No further action was taken.

**NO ACTION
(NO EXHIBIT)**

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

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 EDINBURG
- B. CITY OF WESLACO
- C. CITY OF DONNA

(EXHIBIT Q)

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

**MOTION CARRIED
(EXHIBIT Q)**

REGULAR AGENDA

**ITEM 1. APPROVAL TO DECLARE SURPLUS A 1985 JOHN DEERE TRACTOR
ASSET #016263,
SERIAL #T0401DE720559**

A motion was made by Commissioner Garces and was seconded by Commissioner to authorize the declaration of equipment surplus and authorize our purchasing agent to dispose of a 1985 John Deere Tractor.

**MOTION CARRIED
(EXHIBIT R)**

ITEM 2. APPROVAL TO ADVERTISE FOR BIDS FOR HIGHWAY DIESEL FUEL

A motion was made by Commissioner Garces and was seconded by Commissioner Handy to authorize the advertisement for bids for the purchase of highway diesel fuel for a certain period of time.

**MOTION CARRIED
(EXHIBIT R)**

ITEM 3. DISCUSSION ON FLOODING CONDITIONS IN CERTAIN SUBDIVISIONS - PCT. 1

**NO ACTION
(NO EXHIBIT)**

A motion was made by Commissioner Arcaute 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.