

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 6TH day of
APRIL, 1993, after due notice having been given, there was begun
and holden, a SPECIAL MEETING of the Commissioners' Court in the
Commissioners' Courtroom of the Administration Building in the
City of Edinburg, Hidalgo County, Texas with the following
members of said Court present and participating:

Hon. J. Edgar Ruiz
County Judge

Hon. Samuel Sanchez
County Commissioner, Precinct #1

Hon. Lalo Arcaute
County Commissioner, Precinct #2

Hon. Juan Rosel
County Commissioner, Precinct #3

Hon. Leonard Camarillo
County Commissioner, Precinct #4

WHEREUPON, the following proceedings

were had, to-wit:

-----000-----

APRIL 6, 1993

The Honorable J. Edgar Ruiz, County Judge, called the Commissioners' Court meeting to order, whereupon the following proceedings were had, to-wit:

CONSENT AGENDA

- ITEM 1. APPROVAL OF MINUTES - March 23, 1993
- ITEM 2. APPROVAL OF BILLS - County Auditor
- | | | |
|-----------------------|-------------------|------------------|
| General Fund | - #88020 - #88279 | - \$1,090,793.01 |
| Special Revenue Fund | - #85689 - #85898 | - \$ 586,859.27 |
| Capital Projects Fund | - # 4631 - # 4633 | - \$ 15,453.37 |
| Trust and Agency Fund | - # 3405 - # 3428 | - \$ 702,324.46 |
| Enterprise Fund | - # 1438 - # 1444 | - \$ 6,997.99 |
- (SEE "EXHIBIT A")
- ITEM 3. APPROVAL OF OFFICIAL BOND:
- A. Martin Quijas - Deputy Constable - Pct. #3
(SEE "EXHIBIT B")
- ITEM 4. JUVENILE PROBATION:
- A. Declare Equipment Surplus:
1. Various equipment
(SEE "EXHIBIT C")
- ITEM 5. INTERNAL LINE ITEM TRANSFERS:
- A. J.P. Pct. #3 Pl. #1 - Arnaldo Corpus - \$36.20
B. Sheriff's Department - \$596.00
C. Tax Assessor/Collector - \$1,500.00
D. Pct. #2 - Paved/Unpaved - \$1,000.00
E. Health Department - \$1,285.00
F. Reproduction - \$116.00
(SEE "EXHIBIT D")
- ITEM 6. PLANNING DEPARTMENT:
- A. Subdivisions:
1. Lot 49 Parklane Subdivision - Pct. #4
(SEE "EXHIBIT E")
- ITEM 7. PURCHASING DEPARTMENT:
- A. Award Bids:
1. Progreso Community Resource Center
B. Request to Advertise:
1. Anzaldua's Park Security - Pct. #3
(SEE "EXHIBIT F")
- ITEM 8. PERMITS:
- A. North Alamo Water Supply - Pct. #1

B. Southwestern Bell - Pcta. #1 & #2
(SEE "EXHIBIT G")

Judge Ruiz gave a brief explanation of each of the items on the Consent Agenda. He stated that for the Juvenile Probation Department, various equipment, which included chairs, filing cabinets and office equipment, was being declared surplus. On the awarding of the bids under the Purchasing Department, the bid for the Progreso Community Resource Center, would go to Reyna Construction, with a low bid price of \$198,500.00. The bid dates for the advertising for bids for Anzalduas Park Security would be April 28 to open and May 4th to award. The Judge then asked the Commissioners if they had any questions concerning any of the items on the Consent Agenda. Mr. Luis Figueroa, the engineer on the Progreso Community Resource Center project, then came forward and stated that the bid was the most advantageous and that Mr. Kermit Black, from Texas A & M University, was also recommending the bid. Commissioner Sanchez then had a concern as to why there were only two bids and also as to the difference between each bid. There being no further questions and/or comments, a motion was made by Commissioner Sanchez, seconded by Commissioner Rosel, to approve the Consent Agenda, as presented.

MOTION CARRIED.
SEE "EXHIBITS A-G"

REGULAR AGENDA

ITEM 1. APPROVAL OF PROCLAMATION - Keep America Beautiful

After the reading of the proclamation, a motion was made by Commissioner Camarillo, seconded by Commissioner Sanchez, to approve the proclamation, as presented.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 2. TAX ASSESSOR/COLLECTOR:

- A. Tax Refund:
 - 1. Sante Fe East Cattle Company - \$5,087.50
 - 2. Vicente Granados - \$ 788.13
 - 3. B.H. Sirmons - \$ 703.64
 - 4. Alter Holland - \$ 809.56

A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to approve the tax refunds, as presented.

MOTION CARRIED.
SEE "EXHIBIT I"

ITEM 3. APPROVAL OF MEMBERS TO THE HIDALGO COUNTY HISTORICAL COMMISSION

A motion was made by Commissioner Rosel, seconded by Commissioner Camarillo, to accept the recommendation of the Hidalgo County

(01/06/93)

3

Historical Commission, in appointing Ms. Adela Ortega and Mr. William Mathew Foerster, to serve on the Historical Commission.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 4. BUDGET AMENDMENT:
A. J.P. Pct. #3 Pl. #1 - Arnaldo Corpus

Commissioner Rosel requested that this Court table this item, to allow him time to discuss this with Judge Corpus. After further discussion, a motion was made by Commissioner Rosel, seconded by Commissioner Sanchez, to TABLE Precinct Three Place One Justice of the Peace Arnaldo Corpus' request for \$750.00, from the General Fund.

MOTION CARRIED.
SEE "EXHIBIT K"

At this point Judge Ruiz introduced some Political Science students from the University of Texas-Pan American, who were sitting in on the meeting, as well as Carlos Garza, who was running for City Commissioner, in the City of McAllen.

ITEM 5. PCT. #2:
A. Approval to reappropriate unbudgeted funds from fund balances Paved/Unpaved Roads, Park

A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to authorize the reappropriation of unbudgeted funds on the Paved/Unpaved Roads account of Precinct Two, totaling \$76,299.10 and in the Park account \$12,700.60. (NOTE: Amounts to be appropriated into the Other line item, in each account.)

MOTION CARRIED.
SEE "EXHIBIT L"

ITEM 6. ECONOMIC DEVELOPMENT - J.D. Salinas:
A. Request permission to contract with Texas Water Commission for a Litter Abatement Program
B. Interlocal Agreement between Hidalgo County, Texas and Hidalgo County Drainage District #1
C. Appropriation of the Texas Water Commission Grant
D. Appropriation of the Texas Forest Service Grant

6/A

J.D. Salinas came before the Court requesting approval of a contract between the Texas Water Commission and the County of Hidalgo, through resolution. A motion was made by Commissioner Rosel, seconded by Commissioner Camarillo, to authorize a resolution contractually agreeing to sponsor the Texas Water Commission Litter Abatement Program.

MOTION CARRIED.
SEE "EXHIBIT M"

(04/06/93)

4

6/B

J.D. Salinas explained that this interlocal agreement states that the Drainage District is going to provide the \$76,300.00 cash match, for the Litter Abatement Program, as well as any other in kind services. A lengthy discussion then ensued regarding the staff that would be needed for this grant, with the main concern being the number of Litter Abatement Officers and also where this staff would be located. A motion was made by Commissioner Rosel, seconded by Commissioner Camarillo, to approve the interlocal agreement between the County of Hidalgo and the Hidalgo County Drainage District #1 authorizing the submittal of this grant application to the [Texas] Water Commission, in the amount of \$170,500.00; authorizing the allocation of cash match totaling \$76,300.00 and authorizing the County Judge to sign all necessary applications for this grant.

MOTION CARRIED.
SEE "EXHIBIT M"

5/C

NO ACTION.

6/D

NO ACTION.

ITEM 7. ADMINISTRATIVE ASSISTANT - Noe Cavazos:

- A. Authorization to enter into interlocal cooperation agreement with the Cities of: Edinburg (Faysville)
San Juan
Palmview
Penitas

Noe Cavazos, Administrative Assistant, came before the Court requesting approval of four interlocal agreements, due to problems with regards to refusal of payment by the County Auditor. A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to authorize the entering of interlocal cooperative agreements with the Cities of Edinburg, San Juan, Palmview and Penitas.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 8. PLANNING DEPARTMENT:

- A. Subdivisions:
1. La Paloma De Las Sombra Subdivision - Pct. #1
2. J.R. Subdivision #3 - Pct. #1
3. Glasscock Meadows Subdivision - Pct. #3
B. Final Plat Approval:
1. Old Rebel Heights Subdivision Blk #3 - Pct. #1
C. Consideration of minor changes to subdivisions:
1. Los Arboles Mobile Home Subdivision Phase I - Pct. #2
2. Ruby Subdivision - Pct. #3

8/A/1

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the plat of La Paloma De Las Sombras Subdivision, which is located approximately 1320 feet south of Old Business 83 on the west side of Mile 3 1/2 West, in the immediate ETJ of Weslaco, in Precinct One.

MOTION CARRIED.
SEE "EXHIBIT O"

8/A/2

Emilio Garcia, Chief Planner, came before the Court and presented J.P. Subdivision #3 for approval. A question came up regarding the source of water services for this subdivision, which was a water well, owned by Progreso Water Supply. Judge Ruiz then had a question concerning the water pressure, and asked who had better water pressure, Progreso Water Supply or Military Water Supply, which led to a discussion regarding which of the two would provide the better service, for this subdivision. After further discussion, a motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the plat of J.R. Subdivision #3, which is located on the corner of Baker Road and Gonzalez Road, inside the city limits of Progreso, in Precinct One.

MOTION CARRIED. (COMMISSIONERS SANCHEZ, ARCAUTE AND ROSEL, VOTED IN FAVOR OF THE MOTION; COMMISSIONER CAMARILLO ABSTAINED AND JUDGE RUIZ VOTED AGAINST.)

8/A/3

A motion was made by Commissioner Rosel, seconded by Commissioners Arcaute and Camarillo, to approve the plat of Glasscock Meadows Subdivision, which is located on the southwest corner of Glasscock Road and Mile 6 North Road, in Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT O"

8/B

A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to give final approval to the plat of Old Rebel Heights Subdivision Blk #3, which is located on the northeast corner of Mile 2 East and Mile 9 North, within the City of Mercedes' ETJ, in Precinct One.

MOTION CARRIED.
SEE "EXHIBIT O"

9/C

Emilio Garcia, Chief Planner, informed the Court that he had discussed this item with the County Engineer, and he was recommending that the subdivision go through the Planning Department Regulation process. The proposed change on Los Arboles Mobile Home Subdivision Phase I, was to switch the street and lot numbers and the change on Ruby Subdivision, was that the developer wanted to make the road that goes into the subdivision, a private road. After discussion regarding these proposed changes, with comments from the Judge, Travis Heister, County Legal Counsel and Carlos Garza, NO ACTION was taken on this item.

NO ACTION.
SEE "EXHIBIT O"

ITEM 10. URBAN COUNTY:

- A. City of Elsa - Professional Services Contract (Engineering) Quintanilla, Headley and Assoc. Water Sewer Improvements - Year B-92-UC-48-0501
- B. City of Hidalgo - Construction Contract Award Street Improvements Year B-92-UC-48-0501
- C. City of La Jolla - Change Order #2 - PFI-Parks, Recreational Facilities, Solis & Chapa Construction, Year 5
- D. City of Mercedes - Street Improvements Bid Award, Yr 5 Mission Paving Company, Inc.
- E. City of Palmview - Street Improvements Bid Award, Yr 5 Mission Paving Company, Inc.

F. HOME Rental Rehabilitation Contracts
G. Approval of bills

10/A

A motion was made by Commissioner Sanchez, seconded by Commissioner Camarillo, to award a professional service contract to Quintanilla, Headley & Associates, for water and sewer improvements in the City of Elsa.

MOTION CARRIED.
SEE "EXHIBIT P"

10/B

A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to award a contract to Sascon Inc., for street improvements at a cost of \$63,417.00; it is low bid.

MOTION CARRIED.
SEE "EXHIBIT P"

10/C

A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve change order #2, increasing contract of Solis & Chapa Construction by \$26,000.00.

MOTION CARRIED.
SEE "EXHIBIT P"

10/D

A motion was made by Commissioner Arcaute, seconded by Commissioners Rosel and Camarillo, to award bid to Mission Paving Co., for street improvements in Mercedes, totaling \$215,724.20, being low bid.

MOTION CARRIED.
SEE "EXHIBIT P"

10/E

A motion was made by Commissioner Rosel, seconded by Commissioner Camarillo, to approve and award a contract to Mission Paving Co., for street improvements, with the City of Palmview; contract is for \$23,908.50; and it is a low bid after advertisement.

MOTION CARRIED.
SEE "EXHIBIT P"

10/F

A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to award two contracts under the HOME Rental Rehab Program, to Agustin and Modesto Hernandez, one for Alamo, a three bed-room, and one for Elsa, also a three bed-room.

MOTION CARRIED.
SEE "EXHIBIT P"

10/G

A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to approve the 1991 Urban County bill #4527 in the amount of \$190.37; the 1992 Urban County bills #4528 thru #4535 totaling \$12,217.70; the 1992 HOME Program bills #4536 thru #4544 totaling \$29,319.95; the Colonia 1A Program bills #4545 thru #4548 totaling \$9,961.67; and the Colonia 1B Program bills #4549 thru #4552 totaling \$21,448.54. The Urban County memorandum to be approved is \$73,138.23.

MOTION CARRIED.
SEE "EXHIBIT P"

THE FOLLOWING ITEM IS IN VERBATIM

ITEM 10. DISCUSSION AND ACTION ON CHANGES TO THE ORGANIZATION AND DIRECTION OF THE ADMINISTRATIVE ENTITY OF THE JTPA PROGRAM

JUDGE RUIZ

Item 10, Commissioners, action on changes to the organization and direction of the Administrative Entity that manages Job Training Partnership Act and its funds through the Department of Commerce. Commissioners, I think we all have a packet of this in your, and I'd like to preface our, our action with the six items that we have listed in this, in terms of background, as to why we want to make the change of organization from Department of Community Affairs to the Office of Employment and Training. First of all, we will go into a reduction in funding on the average of 15% for the first, for the last two years. In 1991, our SDA or Department of Community Affairs had \$18,657,393.00; 1992 it was reduced to \$16,348,575.00; in 1993 the approved budget by the Private Industry Council and Commissioners' Court is now further reduced to \$13,413,905.00. We can see that in the last two years we have lost funding, \$5,200,000.00. Item 2 is while funding has been reduced by \$5,200,000.00, staffing has increased. In 1991, we had 104 employees; in 1992 we had 127 employees and in 1993 now we have 142. So, you see that we have lost \$5 million, but we've increased employment by 38 persons, or a 28% increase in the last two years. The cost of the operating of the program inclusive administration program management should be no more than 30%; that is a policy set by the Department of Labor and the Department of Commerce. The Agency at the time in the present budget is expending approximately 32%, which translates to about \$5,428,332.00 for the fiscal year 1992-1993. It should be no higher than \$4,904,572.00, which includes an overstatement of a half a million dollars or approximately \$523,759.00. Although these monies have been budgeted, they, they, I presume, will come from supplemental funds, but still, we will be over the 30% mark. With the reduction in funding to the, the figure we just said, \$13,413,000.00, this will allow under keeping under the 30% mark, it will allow only \$4,024,111.00 for administration and program management, this is for the year 1993. Presently, we are currently working with an operational fund of five million four hundred, so this, from a transition from 1990 to 1993, this means we have to reduce the operational budget by \$1,404,221.26 reduction, in a period of one year. July 1st, 1993, which is the beginning of the fiscal year, also marks the beginning of a transition period, in which we must prepare to comply with two additional performance standards. As you know, in discussing our Workshop, we understand that we have six performance standards, that we have to comply. The focus of these two new performance standards will be on competency levels, in both adults and youths. Not only, once we train and place clients in jobs, which has always been the, the goal of the agency but now we must insure they are gaining in their educational lev-

el, as well. For placement, it will take six months of that particular individual, or person, to be six months within the job labor force, or where we place them, if they fall for, for, fall out of employment either because of lay-offs or lack of training that placement will not be counted toward our compliance standards. In essence, it will require a stricter assessment followed by career development strategies which will achieve the, the required net gains as mandated by the Reform Act of 1992. Of course, the Reform Act of 1992, goes into effect July 1st. We are not meeting two of the six performance standards today. Without changes in the method of operation, the addition of two performance standards will further compound the difficulty, it is my understanding and my concern that by adding two performance standards, we will not meet those two performance standards either, for the year 1993-1994. Also computerization upgrading of professional skills of the Agency's staff are essential for the performance standards, the newly required two to three year tracking of participants to stage the development, will be difficult to achieve, while we do the ongoing operation in a manual system. It'll cost, in essence, it is cost prohibitiveness, we need more people to do it manually than we could do it computerwise. Consequently, reduced operational budgets of \$4 million, while the agency will be forced to restructure its method of operation, even if we kept the Agency with the same funding, there will be a serious reduction in force, by approximately over 30 people, to actually meet the administrative budget that is set by, by the Department of Commerce and ourselves. We are asking that in, in order to better serve JTPA recipients, better manage the Reform Act of 1992, hopefully catch-up with the two standards that we are not, that we're not keeping or meeting at this point in time, that a new organization be established. The organization that we are recommending is the Office of Employment and Training for the County of Hidalgo. We are asking for this Commissioners' Court to adopt new goals and missions, for the organization, we are requesting authorization that, that we be authorized to do the reduction in force, in concurrence with the budget, with, with great emphasis that all the people who are presently employed, in the Agency, will have and be eligible for consideration for new employment, if they meet the job classification requirements of the new job classifications. In your packets, you also find an organizational chart, we are asking for the adoption of this organizational chart, to provide the transition between the Department of Community Affairs and the Office of Employment and Training, we are asking for a transition team, that will be encompassed by the County Judge's Office, as having one representative two Private Industry Council persons...

COMM. ROSEL

You got one.

JUDGE RUIZ

Yes sir, we are asking for two, two Private In-

dustry Council persons, three staff people and legal counsel.

COMM. ROSEL

Who choses these people?

JUDGE RUIZ

We, as Commissioners' Court. We would like, however, the Private Industry Council Chair to have the discretion of appointing the two members, from his Board. We're also asking for also the, based on, on the new Office of Employment, direction and agency that we get authorization to advertise for an Executive Director for this organization. I'm open for questions, at this point in time.

COMM. CAMARILLO

Supposing we adopt this proposal, new chart, when will it take effect? July 1st?

JUDGE RUIZ

July 1, actually it would be a transition between today which if we take action, through June 30th, which is the end of the fiscal year for JTPA and the Department of Community Affairs.

COMM. CAMARILLO

What about the trouble that you mentioned, about, budgetary? Are we going to have a problem with that, waiting to come there? Will we be overbudgeted by \$1.4 million?

JUDGE RUIZ

The money for, for the administrative cost of 32% is budgeted. The problem, so the problem is that we're over the 30% mark so, in essence, we are in non-compliance with the Agency requirements. If we were to try to comply we would have to reduce it by that two percent. We feel that in the transition we can accomplish that.

COMM. ARCAUTE

So that would be between now and July 1st.

JUDGE RUIZ

Yes.

COMM. ARCAUTE

Okay, I told you yesterday, I'd probably have a lot of questions by this morning and I...

JUDGE RUIZ

Good.

COMM. ARCAUTE

...I don't know where it's going to get me.

COMM. SANCHEZ

Well let's start with Rule 1.

COMM. ARCAUTE

You answered two already, I'm sorry. Is that, you mentioned two performance standards that are not being met, is that one of them, the administration...

JUDGE RUIZ

No. No, the two, the two performance standards that are not being met, is the hourly rate. We have weekly earnings that the, all the placements or the average of all placements of adults into the labor force, the hourly rate should be \$4.88, our present average as of March 31st, is \$4.31.

COMM. CAMARILLO

(INAUDIBLE)

JUDGE RUIZ

Well, we...

(04/06/93)

COMM. SANCHEZ Is that due to some malfunction of the Agency, or just to the economy of the area.

JUDGE RUIZ It's, I think it's to the negotiation of the Agency with the employee. I think that, that the agency should be negotiating a better rate for the placement of employees and participants. I think it's important that we do so.

COMM. SANCHEZ Judge, are you, it sounds to me like we're saying all of these six things that are supposedly not entirely running correctly that you mentioned here, or that are wrong, it seems to me that we're saying that the operation of the Agency, during those years, is directly responsible for these things happening. For example, the, the funding, the reduction in funding, these last two years, an average of 15%, and the staff continuing to increase and the administrative costs continuing to rise; it seems to me that, that Reagonomics might have had something to do with, with the reduction of funding at 15%, these last two years.

JUDGE RUIZ No, we failed as an Agency to submit proposals for the Veterans' Programs, we failed as an agency to...

COMM. SANCHEZ To submit proposals of money that we didn't have?

JUDGE RUIZ ...for monies that...

COMM. SANCHEZ So, how can we be reduced in funding if we didn't have it to begin with?

JUDGE RUIZ Well, we're comparing from one year...

COMM. CAMARILLO They had those programs before.

JUDGE RUIZ We're comparing from one year to another.

COMM. SANCHEZ That's what I'm saying.

JUDGE RUIZ And we submitted, we didn't submit proposals for the Older Workers', there has been a serious reduction in EDWAA funds, due to our non-performance and we've lost 8% monies to the Texas Employment Commission. I think those four are more to why we have been reduced funding than anything else; not Reagonomics.

COMM. SANCHEZ In fact, there was less money available?

JUDGE RUIZ No, there is enough money there.

COMM. SANCHEZ So, there's plenty money available then?

COMM. ARCAUTE What, oh excuse me, go ahead...

COMM. SANCHEZ Go ahead.

COMM. ARCAUTE ...Commissioner, finish. Dissolving this agency, and to create another one, I have my thoughts on that if that would be the best way to do it. If, if we have, in our findings discovered that whatever is there, whether it be personnel or budgets, or obviously there is enough money

there, has not accomplished the, or met all the performance standards why not make the changes in that personnel since they do not meet the criteria to be able to, to perform those jobs and meet our performance standards?

JUDGE RUIZ

Commissioner...

COMM. ARCAUTE

Rather than to change the whole works, I see a massive effect, you know.

JUDGE RUIZ

It is a massive effect, of what we propose. First of all, budgetarily there is a need for a reduction in force. This year coming July 1st, you don't have the agency does not have enough money to carry 142 employees. So right off the bat, you have a reduction in force, now in order to keep as legal as possible in trying to avoid lawsuits, what you do is do last-in-first-out. You would have a little over 30 people to have to do last-in-first-out.

COMM. ARCAUTE

But that's only a conception, Judge, we don't necessarily have to do it that way.

JUDGE RUIZ

Well, you don't have to do, do it there necessarily, but you are putting, placing yourself, in a higher legal risk to do it otherwise.

COMM. ARCAUTE

Not had a certain criteria not este no...

TRAVIS HEISTER

Excuse me, I think basically, if I understand the plan what is gonna happen is basically what you suggested which is a re-organization, that is the staff will be given, everyone on the staff, will be given an opportunity to apply for these new positions and they will be given consideration for all the positions that are qualified for and I'm sure that we give them preferential ----- but basically that's to be worked out with the Executive Director and the staff, but in effect there will be a re-or..., there will be a reduction in force of the current staff, current employees...

JUDGE RUIZ

100%.

TRAVIS HEISTER

...100% reduction in force and with all the employees encouraged to apply for the positions that are created within the new agency. That's basically what's envisioned, which is in effect a re-organization, you have a new organizational chart, you have a new mission statement, you have a new sense of directives, you have a new set of salaries, things of that nature and people will be encouraged to apply for those positions in that direct..., in that new agency and in effect it is a, you could, you could almost look at it as a re-organization of the existing agency.

COMM. ARCAUTE

Well, I think that's where I have my problem, is it a re-organization, or the dissolving of one and the creation of another?

JUDGE RUIZ

We, in actuality, are dissolving the one and creation of another one.

(04/06/93)

COMM. ARCAUTE We cannot say re-organization, a reorganization will be something within the same agency.

JUDGE RUIZ Well, in, the only, I think the only re-organization would be that we are, I think that the transition team should be emphatically, emphasized, that this Commissioners' Court should emphasize that, that there be a goodwill try to, to consider all the employees who are there for re-employment, if they meet the job descriptions. The new job descriptions under this agency; I think in that sense, many of the employees will be re-employed, however it is a new agency, and, and, and in a sense it is more than a re-organization.

COMM. ARCAUTE Yeah, that's what I'm saying...

TRAVIS HEISTER Technically it, it is not a re-organization...

COMM. ARCAUTE Well, that's what I'm saying. When this thing gets out, it's...

TRAVIS HEISTER ...technically, it is not a re-organization, I think the effect of it will probably similar to a very big re-organization.

COMM. SANCHEZ Its a very big solution and...

COMM. ARCAUTE (INAUDIBLE)

TRAVIS HEISTER It's just, it's a lot easier to do it this way and a lot of work.

JUDGE RUIZ Commissioner Camarillo, you were going to say something?

COMM. CAMARILLO Yea, I was gonna say, just for the record, we are, you know totally, renovating this thing...

TRAVIS HEISTER Right

COMM. CAMARILLO ...even, even with a name, you know, we used to have the County of Hidalgo Department of Community Affairs, now we're going to have County of Hidalgo Office of Employment and Training, it's a total difference.

TRAVIS HEISTER Right.

COMM. CAMARILLO I remember a year ago or so, when we adopted this, this old chart, it was a new chart last year, we had a new Director, I, I asked him, he was right there on that podium, I said, "Is this what you want. Do you think that this will work." I found it very complicated myself, because there was going, he was going to deal with six people, rather than with a Deputy Director; but he said that he liked it, he said that it was workable, and he said that he was going to do good, for the agency.

COMM. ROSEL It didn't work.

COMM. CAMARILLO He never did. There was two statements made yesterday here, that the AA's have never met for the year that this has been in effect. They

were supposed to meet every morning and come out with solutions to increase the intensity of, of the Department. According to the statement we heard here, yesterday, and that the year that this thing has been in operation they have very seldom met, to discuss and to perform their duties as Assistant Directors, or Assistant Administrators. What we are trying to adopt is something very similar to what we had before this one, and I go along with it. I certainly try, thinking it's simpler, I think that we're going to reduce the excessive number of employees that we have. I think that it's more workable, I think that it is more manageable, so I go along, with the, if you want to call it re-organization, but I feel we're totally disassembling one organization and creating another one.

TRAVIS HEISTER

I think that's technically correct, the only reason I wanted to point out to the, Commissioner Arcaute, is that, that a large number of current employees will be re-employed by this new agency and I wanted to emphasize it's similar to a vast re-organization, cause the whole mission, the whole direction, job discipline, everything.

COMM. ARCAUTE

Not, necessarily.

TRAVIS HEISTER

More computerization, from what I understand, the technology is going to be advanced and we'll get into the more state of the art type of approach of handling things, a particular task.

COMM. ARCAUTE

I, I realize and I understand that, I understand that, okay, I'm just saying if we hve 142 and we only need 110, let's get rid of the 30, that will not meet the criteria.

JUDGE RUIZ

Commissioner....

COMM. ARCAUTE

Rather than go through the whole works.

JUDGE RUIZ

Well, it goes beyond that. It goes beyond that, in the sense that, that in, in the evaluating the agency, first of all, you have to comply with the Jobs Training Reform Act of 1992, that is a different performance standards, with different methods of doing business...

COMM. ARCAUTE

I understand.

JUDGE RUIZ

Okay, that may require further change in status, number one; then you have upgrading of professional skills for computerization for the tracking system, that may, may ask for further change in staff, so when you look at those three things, not only the reduction in force budgetarily, but also to, to comply with the Reform Act of 1992, and for the computerization for tracking; you are, you are changing the whole, almost the whole aspect, so we find it a lot simpler, in my opinion, safer, legaler to just create a new agency and, and begin again.

COMM. ROSEL

I think that charts are a dime a dozen, Judge,

(04/06/93)

14

but the problem is that we need to be able to understand that sometimes these charts go wrong, because political people or political pressure begins to put their hands into the, into the dough and I think that we need to keep it out and it's got to remain apolitical, if we're going to adopt this one, it's got to be without, it's got to be...

COMM. ARCAUTE It'll never work.

COMM. ROSEL Impossible, right, according to...

COMM. ARCAUTE How can you keep out politicians?

COMM. ROSEL I think that what we need to look at is, we need to look at the performance that has been in the past and and if we continue, are we in jeopardy of losing more funds.

COMM. SANCHEZ I've got some more questions.

COMM ROSEL Yes or no?

JUDGE RUIZ Yes, in my opinion.

COMM. SANCHEZ Absolutely.

COMM. ROSEL Okay then, I think it is too important for us to let it continue and then we get, we lose more and more.

COMM. SANCHEZ Okay, but the questin in my mind, is, you're saying we should let it continue, you mean the agency as it is, or the involvement of the politicians as it is.

COMM. ROSEL No, I didn't say that.

COMM. SANCHEZ You see, because, you know, what I'm gonna say, what everybody out there is saying maybe they don't want to say, publicly. The fact is that the agency, why do we not apply for these monies, if we had applied, we would have gotten them, you know. How come, who was responsible for creating those proposals? A lot of people seem to feel that the agency has become too political, too many assistants, to many assistants to the assistants, to many people making decisions, too many chiefs and not enough indians.

COMM. ROSEL More charts.

COMM. SANCHEZ More charts, is this chart the magic one. Is this going to change everything.

COMM. ROSEL Well, it depends on who you're going to get here as Executive Director.

COMM. SANCHEZ Well, plus the fact that whoever we hire should be allowed to run the agency.

JUDGE RUIZ There's no magic to it, the only thing that we did in terms, of this organizational chart and inclusive the salaries that are, are proposed here, which need massaging and both the organiz-

ational chart, is that we went to the, to the State Auditor of the State of Texas and they, they have, they have adopted for the Department of Commerce an identical organizational chart, number one, and number two, they have proposed that the entry level positions for this organizational chart, according to job descriptions, around the State is what JTPA needs, so we, we didn't do this organizational chart nor plan this agency around the people who we have. We did this with the advise and counsel of the State, Texas State Auditor's Office that manages all the funds of JTPA. So there's no magic to it.

COMM. SANCHEZ

That, that doesn't resolve it; again, I think if we're going to develop a new chart, whether we change the structure or the administrative entity or not, one of the key things that must happen is we must allow these people to work. Do we have to overhaul the entire system, at this point and if we do overhaul it, if we do reach a consensus, that yes we need to overhaul the system, just how long will it work before that system goes the same way that the other one did. What is the real problem here?

JUDGE RUIZ

So, well the point of the matter is, is that you are saying that there is a problem. You are stating that how long will it take for this organization to be problematic like we have now and, and I think you are in the right direction, you're saying there is a problem and I'm saying this is the best solution available for the problem, okay.

COMM. SANCHEZ

We're recognizing the fact that there is a problem maybe not for only these factors, what I'm saying is that, that there are other factors that impact on the fact that we have this problem.

JUDGE RUIZ

Well, there must 30 others.

COMM. SANCHEZ

So, consequently, we just need to make sure that we take all of these factors into account and resolve them. It's like removing a cancer, if you don't get it all, it going to happen again.

JUDGE RUIZ

Well, the only thing I can tell you, Commissioner, is that we've worked very closely with Austin's Department of Commerce, we've worked with Legal Counsel. We've worked with the State Auditor's Office and we feel that this is predominant in the State of Texas this is the best available structure in organization that we could find, without dreaming up one of our own and reinventing the wheel; we didn't think it was necessary.

COMM. SANCHEZ

Maybe, maybe if we work closer with, with the staff at the local level, just like we did with all these State people, we might not have some of these problems.

JUDGE RUIZ

Well again...

(04/06/93)

COMM. SANCHEZ Who supervised the staff?

JUDGE RUIZ Well again, you, you say on one thing, you don't want to, to work then you come back and you say that you want to work closely with them.

COMM. ROSEL Si como que no.

JUDGE RUIZ Either you let them work or you don't and I think we should let them work.

COMM. SANCHEZ Let's say you have worked close to develop all of these systems, and we're talking apples and oranges, if, to develop the new systems, to be put in place, have we tried locally with the PIC, with the staff to develop systems that would work here?

JUDGE RUIZ Yes.

COMM. SANCHEZ And nothing has worked?

JUDGE RUIZ No, in my opinion, no.

COMM. SANCHEZ One question, Judge, what happens to the Private Industry Council?

JUDGE RUIZ Nothing.

COMM. SANCHEZ It will remain as they are.

JUDGE RUIZ Yes.

COMM. SANCHEZ They will still oversee the program?

JUDGE RUIZ Yes.

COMM. SANCHEZ Isn't incorporation being considered, at this point?

JUDGE RUIZ No, not that I know of. The incorporation of the PIC would be a decision by Commissioners' Court, not by the PIC.

COMM. SANCHEZ Is that being considered at all in this chart?

JUDGE RUIZ No, this is for the administrative entity, nothing to do with the Private Industry Council.

COMM. ROSEL You're making a recommendation?

JUDGE RUIZ Commissioner Arcaute?

COMM. ARCAUTE I don't know, like I said a lot of thoughts go through my mind, and between yesterday and today, we get, we get to see this package yesterday for the first time, yesterday afternoon, and here it's not even twenty-four hours later, to make a decision like this, I have a little problem with that, when you stop to consider the, all the people that are going to be affected and before I lose the floor, is this a safer, if I can use the term, safer way to do it, because of the salary, I noticed the salary, the salary schedules, as proposed by the State, State Auditor, or whatever...

OUJGE RUIZ Yes.

COMM. ARCAUTE What happens and I guess it's a legal question to our Legal Counsel, what happens in the new, oh here we go again with the terminology, if it was re-organized with the same name and the same agency, this we could not utilize these salaries, because it would entail a reduction in salaries.

JUDGE RUIZ Yes.

COMM. ARCAUTE Am I correct?

JUDGE RUIZ That's exactly correct, Lalo.

COMM. ARCAUTE So, this would be one of the reasons to dissolve this agency and start a new, with different salary schedules, in some cases...

TRAVIS HEISTER I think that, it all had ----- all the thought behind it...

COMM. ARCAUTE No te digo, este no te deja acabar.

TRAVIS HEISTER ...but, my understanding that it's, this has to be done and get into place by the first of July.

COMM. SANCHEZ What, what has to be done by the first of July? Accepting the new chart?

TRAVIS HEISTER The reorganization.

JUDGE RUIZ Commissioners, if I can follow your question, that you didn't finish...

COMM. ARCAUTE Yeah, I know.

JUDGE RUIZ Is, is that you are correct.

COMM. ARCAUTE I forgive you, Legal Counsel.

JUDGE RUIZ In our opinion, there are many, many positions in, in the agency today that are getting higher wages than the average entry level recommendation, from the State Auditor. Okay, now this happens because of, of years of service, it happens because of job classification and organizations and reorganizations, within the agency. Okay, I think in answer to your question is that, over and above the reduction in force, because of budgetary decisions, okay it would be very difficult to comeback and say, "Okay, you have been in this particular position, for the last twelve years, but the State Audit says and around the State of Texas, your position says that you should be earning so much, so I'm going to reduce you \$2,000.00 salary, to keep in standard." That would get you in very serious legal problems.

COMM. ARCAUTE I don't know whether...

COMM. CAMARILLO What are your plans for the Executive Director, will he be in place by July the 1st?

JUDGE RUIZ We'll try. this Commissioners' Court has to do that. That's why we're asking, that's why I'm

requesting authorization to do so. Commissioners, at this point I think it's important that we, we make a decision because we are facing new restrictions, new guidelines new mission statements, new goals and objectives by the Department of Commerce, the Department of Labor and for the needs of the County of Hidalgo. We are requesting approval, for you to establish the Office of Employment and Training and adopt the specific missions that, and goals and objectives that we set up in this, this, this packet. In the same tune, we are requesting the authorization, to do a reduction in force of all employees, at the agency. With strong emphasis that these employees be allowed and given the maximum opportunity to be reconsidered for employment prior to July 1st, if they meet job qualifications and job descriptions. We are again requesting the adoption of the organizational chart, because this is the beginning, this is the beginning within the agency. We are requesting the establishment of the transition team that I have proposed, as to be the County Judge's Office, two Private Industry Council members, three staff people and one Legal Counsel. We will bring the names to you later; we are also requesting the authorization to advertise to establish a, a job description and advertise for the position of the Executive Director, for the Office of Employment and Training of the County of Hidalgo.

COMM. ROSEL As CEO you are recommending that we take this action?

JUDGE RUIZ Yes sir.

COMM. ROSEL I so move.

COMM. CAMARILLO Second.

JUDGE RUIZ Second, more discussion, Commissioner Arcaute?

COMM. ARCAUTE Yes, I just thought maybe we need a little bit more time, Judge.

JUDGE RUIZ I understand.

COMM. ARCAUTE Of course, that's my, my opinion, but --- to the motion.

JUDGE RUIZ There is a motion and a second...

COMM. SANCHEZ Confirm the amendment to the motion.

JUDGE RUIZ ...all in favor signify by saying aye.

COMMS. ROSEL & CAMARILLO Aye.

JUDGE RUIZ All opposed same sign.

COMMS. ARCAUTE & SANCHEZ Aye.

JUDGE RUIZ I vote in favor, the motion carries.
(SEE "EXHIBIT Q")

There being no further business to come before the Court, a motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, that said meeting of Commissioners' Court be hereby adjourned.

MOTION CARRIED.

DRAINAGE DISTRICT #1

The Honorable J. Edgar Ruiz, County Judge, called the Drainage District meeting to order whereupon the following proceedings were had to-wit:

ITEM 1. INTERNAL LINE ITEM TRANSFER

A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to approve an internal line item transfer totaling \$14,305.98, as presented.

MOTION CARRIED.
SEE "EXHIBIT R"

ITEM 2. ECONOMIC DEVELOPMENT - J.D. Salinas:

- A. Request to Contract with Texas Water Commission for Litter Abatement Program
- B. Interlocal Agreement between Hidalgo County Texas and Hidalgo County Drainage District #1
- C. Appropriation of the Texas Water Commission Grant

2/A
NO ACTION.

2/B
A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to approve an interlocal agreement between the County of Hidalgo and Hidalgo Drainage District #1, for the managing and funding of the Litter Abatement Program, for the County of Hidalgo.

MOTION CARRIED.
SEE "EXHIBIT S"

2/C
NO ACTION.

There being no further business to come before the Drainage District, a motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to adjourn said meeting.

MOTION CARRIED.

THERE BEING NO FURTHER BUSINESS TO COME
BEFORE SAID COURT, the meeting of the Commissioners' Court was
adjourned.

J. Edgar Ruiz _____
County Judge

Samuel Sanchez _____
County Commissioner, Precinct #1

Lalo Arcaute _____
County Commissioner, Precinct #2

Juan Rosel _____
County Commissioner, Precinct #3

Leonard Camarillo _____
County Commissioner, Precinct #4

Dated this 6TH day of APRIL, 1993.

ATTEST:

WILLIAM R. LEO, County Clerk
Hidalgo County, Texas



By: Jennifer Castillo
Jennifer Castillo, Deputy