

THE STATE OF TEXAS :
COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 7TH day of
SEPTEMBER, 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:

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SEPTEMBER 7, 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 BILLS - County Auditor
General Fund - #92206 - #92318 - \$ 53,388.61
Special Revenue Fund - #90272 - #90391 - \$110,532.31
Trust and Agency Fund - # 3653 - # 3676 - \$630,582.58
Enterprise Fund - # 1587 - # 1589 - \$ 2,068.00
(SEE "EXHIBIT A")

ITEM 2. APPROVAL OF PUBLIC DEFENSE ATTORNEY'S FEES - \$87,256.00
(SEE "EXHIBIT B")

ITEM 3. INTERNAL LINE ITEM TRANSFERS:
A. WIC - \$1,500.00
B. Human Services - \$4,100.00
C. Sheriff's Department - \$170.00
D. Child Welfare - \$5,855.00
E. Health Department (Clinics) - NO ACTION
F. Health Department (Co-Pay) - \$1,800.00
G. Juvenile Probation Department - \$281.00
H. Juvenile Probation Department - \$82.00
I. County Court at Law #2 - \$1,600.00
J. Precinct 3 (Paved/Upaved Roads) - \$6,000.00
K. Precinct 3 (Park Fund) - \$1,000.00
L. Precinct 2 (Paved/Unpaved Roads) - \$10,000.00
M. Precinct 2 (Park Fund) - \$2,000.00
N. Performance Reward (Youth Village) - \$1,277.66
O. Adult Probation (Boot Camp) - \$1,000.00
P. Computer Department - \$1,500.00

(SEE "EXHIBIT C")

ITEM 4. PERMITS:
A. North Alamo Water Supply - Pcts. 1, 2 & 4
B. Southwestern Bell Telephone - Pcts. 1 & 3
C. Sharyland Water Supply Corporation - Pcts. #3 & 4
D. Valley Telephone Cooperative - Pct. #3

4/A

North Alamo Water Supply is requesting a permit to do the following: in Precinct One, to cross Mile 17 North approximately 1/4 mile west of Mile 5 West; to cross Mile 15 North 1/3 mile east of FM 88 and to cross Mile 17 1/2 North, 1/4 mile west of Mile 6 West. In Precinct Two, to cross Owassa Road 1/8 mile east of U.S. 281 and to cross Eldora Road 1/4 mile east of Tower Road. In Precinct Four, to lay a two inch line to cross 3rd Street north of Highland and to cross Curry Road approximately 1,000 feet west of 3rd Street.

4/B

Southwestern Bell Telephone is requesting a permit to

do the following: in Precinct One, to lay a cable along Jose Portillo Road and in Precinct Three, to lay a cable across Glasscock Road 1600 feet north of the 4 Mile Line.

4/C

Valley Telephone Cooperative is requesting a permit to do the following: in Precinct Three, to lay a cable along an extension of Bryan Road, beginning at FM 490 and go south 1450 feet.

Judge Ruiz briefly went down the list of items on the Consent Agenda, and announced that there would be NO ACTION on Item 3/E, after which he asked the Commissioners if they had any questions and/or comments on any of the items. There being none, a motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, to approve the Consent Agenda, as presented.

MOTION CARRIED.
SEE "EXHIBITS A-D"

REGULAR AGENDA

ITEM 1. REQUEST AND APPROVAL - F.M. Menchaca (Courthouse Coffee Shop)

Mr. Joe Lamb, from the Texas Commission for the Blind (TCB), came before the Court to speak about the possibly of remodeling the coffee shop. He felt that if both the TCB and the County of Hidalgo worked together, they "could make the coffee shop more appealing to guests of the Courthouse, as well as, to the employees of the County". He stated that the TCB would be willing to remodel the coffee shop with new equipment, such as counters, chairs, refrigeration, ice cream box, etc., if the County would help out by painting the interior of the coffee shop, as well as getting the electrical system up to code. He continued by saying that all the new equipment would possibly be coming sometime in July. Commissioner Camarillo then asked the County Judge if the electrical upgrade could possibly be done by County staff and the Judge replied that it probably could. After further discussion, Judge Ruiz then asked Mr. Lamb that if he could possibly come up with a plan, the County would be more than willing to help out in this endeavor.

NO ACTION.
SEE "EXHIBIT E"

ITEM 2. SHERIFF DEPARTMENT:

- A. Approval of Contract with Tropical Texas MHMR
- B. Request to transfer funds
- C. Declare Equipment Surplus

2/A

Sheriff Brig Marmolejo came before the Court requesting approval of an agreement with Tropical Texas MHMR. He stated that this was the same contract that had been ongoing for some years and it was the same agreement. After a brief discussion regarding the screening form, a motion was made by Commissioner Camarillo, seconded by Commissioners Sanchez and Rosel, to approve a contract between Tropical Texas MHMR and the County of Hidalgo, through its Sheriff's Office; contract amount is \$30,000.00.

MOTION CARRIED.
SEE "EXHIBIT F"

2/B

Sheriff Marmolejo requested that four insurance reimbursement checks be transferred into the Sheriff's Account, in object 30. Commissioner Rosel stressed that he had a concern regarding the vehicles being surplused and the money going into other things. The Commissioners' Court was then presented with pictures of the vehicles in question, after which a motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to authorize the transfer of insurance reimbursement checks, totaling \$6,417.08, to the Sheriff's Department, as presented.

MOTION CARRIED.
SEE "EXHIBIT F"

2/C

A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, to authorize the declaration of equipment surplus and authorize our Purchasing Agent to dispose of said equipment.

MOTION CARRIED.
SEE "EXHIBIT F"

ITEM 3. ECONOMIC DEVELOPMENT:

- A. Permission and authorization to accept and implement grant for Texas Narcotic Control Program for H.I.D.A. - Financial Disruption Task Force
- B. Permission and authorization to appropriate budget retroactive August 1, 1993
- C. Interlocal agreement between the City of McAllen and the County of Hidalgo for use of vehicles (2)
- D. Approval to submit budget for the Integrated Community Traffic Safety Program third year budget approval of Texas Department of Transportation

3/A

J.D. Salinas came before the Court requesting approval and implementation of the Texas Narcotic Control Program grant. The grant was for \$440,291.00 with a County match of \$10,000.00, which would come from the program income. He explained that through this grant, the program would be adding one investigator, from the City of Edinburg, as well as the present staff. He continued by saying that this grant would be funded for eleven months, in order to provide for all State grants to begin on June 1st, of the following year. A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to authorize the acceptance and implementation of the grant and appropriate the budget, totaling \$450,291.00, which includes a \$10,000.00 cash match.

MOTION CARRIED.
SEE "EXHIBIT G"

3/B

A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to appropriate the budget, for eleven months, under the Disruption Task Force Grant, through the Sheriff's Office; to be retroactive to August 1st, 1993.

MOTION CARRIED.
SEE "EXHIBIT G"

3/C

Mr. Salinas explained that this would be for the use of a 1988 Chevy Pick-up and a 1989 Chevy Pick-up, which would both be used by the Sheriff's Department, under the Combined Governmental Task Force. A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve an interlocal agreement between the City of McAllen and the County of Hidalgo, for the use of two vehicles by County employees.

MOTION CARRIED.
SEE "EXHIBIT G"

3/D

Gilbert Trevino, Project Coordinator, came before the Court to request approval for the submittal of the budget for the Integrated Community Traffic Safety Program. He added that Hidalgo County was among one of the worst in DWIs and fatalities in the State. He stated that he was also trying to seek permission in applying for this grant for the following year. He then introduced Ms. Jean Swanson, from the Texas Department of Transportation, who then gave a brief explanation of the funding process and the program itself. Commissioner Rosel then brought up the question of being able to assist the Justices of the Peace with some additional personnel, since most of these cases go through these Courts and Ms. Swanson stated that her department would look into this. The County Judge then asked that Ms. Swanson please explain the tables on the handout that was presented to them. After further discussion concerning the formula of funding, which would be 50/50, a motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to approve the budget and authorize the resubmittal for the 3rd year funding.

MOTION CARRIED.
SEE "EXHIBIT G"

ITEM 4. BUDGET AMENDMENT:

- A. Attorneys' fees for solid waste permitting process
- B. Youth Village Renovation
- C. Child Welfare Board of Children (Expenditures & Revenues)

4/A

Judge Ruiz informed the Commissioners that in their packet there was a breakdown of the attorneys' fees that had been submitted to them for approval. These were from the law firm of Almaraz & Canales, who was doing the legal work for the permitting process of the landfill. He stated that the present billing was for \$21,747.69 and presently, this line item, in the Solid Waste had been depleted. He then asked Commissioner Camarillo if there could be further negotiations prior to the submittal of any additional billings. The Judge then added that he would like to meet with the Commissioner and discuss some of the fees that had been charged. After further discussion concerning the amount projected for this permitting process, a motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, authorizing a budget amendment of \$22,000.00, for attorney's fees for solid waste permitting process.

MOTION CARRIED.

A motion was made by Commissioner Camarillo, seconded by Commissioner Arcaute, exempting legal counsel, being George Almaraz, for the Solid Waste permitting process, from the bidding procedure, under professional services.

MOTION CARRIED.

The County Judge then stated that while they were on the subject

of solid waste, he would like to introduce Mr. Robert Diaz De Leon who was working with Commissioner Rosel, at the landfill in Precinct Three. Mr. De Leon then proceeded to supply the Commission with a handout that indicated all the cells at the landfill in Penitas, that had been built. He stated that they had run out of space, and they had been informed by the State, to either build a new cell or make a decision on whether or not the County wanted to stay in the landfill business. He continued by saying that this issue had been discussed in a Workshop whereby the County had agreed to continue in this endeavor, and possibly make an adjustment in the permit classification, for this area. He stated that due to this they would have to commence the building of a new cell and he indicated what the cost for this would be. He was at this time proposing that the Commissioners' Court consider budgeting an amount of at least \$30,000.00 for the liner for the new cell. He then went into a brief presentation of how to get the most of the area that the County had for the landfill. After a brief discussion regarding how it would be more cost effective for the County, NO ACTION was taken on this issue.

NO ACTION.
SEE "EXHIBIT H"

4/B

J.D. Salinas explained that this would be for all the final bills that were coming in for the girls' wing, at the Youth Village. Steve Austin, County Auditor, then made a point that these monies needed to be transferred from the General Fund into the Youth Village Fund, and not into the Performance Rewards Funds, as indicated. A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to approve a budget amendment request for \$1,613.97, from the General Fund to the Youth Village account, to pay for any and all bills pending for the renovation and the new construction of the girls' dorm, at the Youth Village.

MOTION CARRIED.
SEE "EXHIBIT H"

4/C

Clarissa Trevino, Child Welfare Director, came before the Court requesting a budget amendment to line item #78, which pays for room and board to the foster parents. Her request was for an amount of \$71,700.00, of which 95% would probably be reimbursed by the State. A motion was made by Commissioner Camarillo, seconded by Commissioners Arcaute and Rosel, to amend our General Fund budget to approve an amount of \$71,700.00 towards the Child Protective Services under the Texas Department of Protective and Regulatory Services.

MOTION CARRIED.
SEE "EXHIBIT H"

ITEM 5. BUILDINGS & GROUNDS:
A. Budget Amendment

The County Judge informed the Court that the Buildings and Grounds Department was requesting a budget amendment in the amount of \$79,719.00. These monies would be disbursed into line items for electricity, building repairs, sanitation supplies, equipment repair, etc. Judge Ruiz added that it would probably take this proposed amount to finish off the year. A motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to approve a budget amendment for items projected in the request, totaling \$79,719.00.

MOTION CARRIED.
SEE "EXHIBIT I"

Raul Hernandez, Buildings & Grounds Director, then requested that Commissioners' Court reconsider the addition of employee slots due to the acquisition of the buildings, such as the health clinics, by the County. Judge Ruiz replied that it would be taken into consideration during the budget workshops.

ITEM 6. AUDITOR'S OFFICE:
A. Internal line item transfer

Judge Ruiz brought it to the attention of the Court that some-time back, a point had been made that monies from the labor tax and the retirement fund could not be transferred into other line items. It appeared that the County Auditor was wanting to transfer monies totaling \$226.00 from the labor tax and the retirement line items. The County Judge then asked Mr. Austin if he would be able to take the full amount out of the salaries line item and the response was yes. A motion was then made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve an internal line item transfer of \$1,770.00 from 03 into 12.

MOTION CARRIED.
SEE "EXHIBIT J"

ITEM 7. JUVENILE PROBATION DEPARTMENT:
A. Approval of 1994 Texas Juvenile Probation Commission State Budgets
1. TJPC-A-94-108 - \$304,139.00
1. TJPC-Y-94-108 - \$501,922.00
1. TJPC-B-94-108 - \$ 30,000.00
1. TJPC-C-94-108 - \$100,000.00

7/A/1

Buddy Silva, Juvenile Probation Director, came before the Court requesting approval of his State budgets. He stated that the TJPC-A-94-108 budget was the State aide and it was an amount of \$304,139.00. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the Texas Juvenile Probation Commission State budget for A-94-108 totaling \$304,139.00.

MOTION CARRIED.
SEE "EXHIBIT K"

7/A/2

Mr. Silva explained that the TJPC-Y-94-108 State budget was for programs and existing programs, for staff services, for services for youth and it ran from September 1st, 1993 through August 31st, 1994. A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to approve the Y-94-108 budget totaling \$501,922.00.

MOTION CARRIED.
SEE "EXHIBIT K"

7/A/3

Mr. Silva stated that the TJPC-B-94-108 State budget was basically for their Court Conference Committee Program, for the volunteer program that they have in the County. It was basically for staff services and supplies. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the B-94-108 budget totaling \$30,000.00, and it was primarily for the Juvenile Court Conference.

MOTION CARRIED.
SEE "EXHIBIT K"

7/A/4

Mr. Silva explained that the TJPC-C-94-108 State budget was for a challenge grant program that the Department has had with the State for sometime now. It does require a match, and the actual grant amount is \$50,000.00, which is matched by \$50,000.00 locally. In prior years this match has been done through his department and he stated that he plans to do the same thing this year. These funds are basically for residential services and such. A motion was made by Commissioner Sanchez, seconded by Commissioner Arcaute, to approve the C-94-108 budget totaling \$100,000.00, as presented.

MOTION CARRIED.
SEE "EXHIBIT K"

ITEM 8. HEALTH DEPARTMENT:
A. Declare Equipment Surplus

Dr. Charles Wilson came before the Commissioners' Court requesting the declaration of printers, terminals and screens surplus. A motion was made by Commissioner Sanchez, seconded by Commissioners Arcaute and Camarillo, to authorize the declaration of equipment surplus and authorize the Purchasing Agent to dispose of said equipment.

MOTION CARRIED.
SEE "EXHIBIT L"

THE FOLLOWING ITEM IN VERBATIM FORMAT

ITEM 9. HUMAN SERVICES - Rudy De la Vina:
A. Discussion and possible action pertaining to Indigent Health Care Funding for the remainder of this calendar year

COUNTY JUDGE Mr. De La Vina, good morning.

RUDY DE LA VINA Good morning Judge, Commissioners.

COUNTY JUDGE How are you?

RUDY DE LA VINA Okay, okay.

COUNTY JUDGE Still loosing weight, Rudy?

RUDY DE LA VINA Yes, yes.

COUNTY JUDGE About time you stop, I think. (LAUGHTER) You look pretty good already.

RUDY DE LA VINA Thank you, Judge. Ah, as we talked to you last month, you know, we knew we were going to expend all our funds by August 31st, which we have and I'm sure the Auditor can also advise you of that. We spent through the fiscal year about \$4.9 million dollars, as per the reports that I get from Third Party and if you factor in the amount of SLIAG, we also expended, we, we did go over the \$5 million mark for the fiscal year. Of course, we do get State reimbursements, so it's not like the County paid out all of that amount and nothings coming back. Also, the SLIAG is reimbursed usually at about 100%, 90 to 100% also, so there was, it was a big impact on the County,

but it's not as big as it sounds, when we're talking about \$5 million.

COUNTY JUDGE

Rudy, do you have a figure of how much we actually paid, the County?

RUDY DE LA VINA

Well, ah, I just, what I did was I took, and again these are rough figures, because they still have to be reconciled, you know with the Auditor and all of this. I took the rough figures from Third Party and if, we, according to Third Party, we spent 4.9 million, approximately for Indigent Health Care. Our 10% for this last fiscal year was 2.585 million, so that left 2.334 million dollars over the 10%, so when you factor in the 80% and the 20% that we have to pay, that would make it about 465-66 thousand dollars over our 10%, that we expended.

COMM. SANCHEZ

So about three million?

RUDY DE LA VINA

Three million fifty-two thousand, more or less, and again these are rough figures, okay, but, in actual dollars for the County no reimbursable dollars, it's a little over three million.

COUNTY JUDGE

A little over three million dollars.

RUDY DE LA VINA

Yes.

COMM. CAMARILLO

Over the 10%?

RUDY DE LA VINA

No, no three million total, but it was about 466 thousand over the 10%, more or less.

COUNTY JUDGE

So, we, we, we brought in about 1.8 from the State of Texas?

RUDY DE LA VINA

Well, again, it, some, some of the monies that we expended were refund monies, some of them were, you know, credited from other accounts, because we got reimbursed from the providers and whatever wasn't, you know, reconciled out, it's, it's over a million dollars, I know that, but I don't know the exact figure, 'cause Steve is the one that was tracking that...

STEVE AUSTIN

That's about right, 1.8.

RUDY DE LA VINA

Okay.

COUNTY JUDGE

About 1.8.

STEVE AUSTIN

The State has additional monies also, they can, they can continue to match through the end of the year. Of course, we're no longer at, at 20.

RUDY DE LA VINA

That match level, yea.

STEVE AUSTIN

We, we could have paid additional bills.

RUDY DE LA VINA

Yea, one the, the points that Steve pointed out when we're talking last week, and he's very correct, the Indigent Health Care and Treatment Act, when it was first enacted into a law, it would have a ceiling or limit because the State would only allocate so many dollars a year to match,

once that match money was out then the Counties were no longer obligated to continue to run the program through the remainder of that fiscal year. Normally they set aside about three million dollars for match, but the last two or three years the State, the Agency in charge of that, the Board, the Department of Human Services Board took the stance if they would continue to fund even over and above what the Legislature had allocated, from other funds, to keep these programs going, well if these programs continue to go, you know, that just means the County has to expend more money on their twenty percent end, okay. So, that's what's been happening the last couple of years, in other words, it doesn't stop it just keeps going; and, ah, I don't know if that's good or bad it just depends on what perspective you're looking at it, because the indigents are still there, they still need the assistance and you are getting 80% I mean, you are getting, you're paying on and getting, ah, you're only paying twenty cents on the dollar, in terms of the County, so, it's just a matter of how you want to look at it, if that's good or if that's bad; but there's no doubt about it that the trend, our averages are continuing to go up, in terms of the amount of money we're expending every year, also our 10% continues to go up so that means we have to spend that many more dollars before we can access the 80-20, so it, it's becoming an expensive operation, but again, the, if we went over, you know, four hundred and sixty-six thousand more or less, from what the 10% was, more or less, this last fiscal year.

COMM. SANCHEZ

Are we serving more people or is it just getting more expensive to serve the same people?

RUDY DE LA VINA

Well, the, the rates are periodically adjusted by the State, to match the average Medicaid rate that is paid Statewide, that, you know, goes up a little and then some services may go down a little but it has gone up on the average, but the thing is that we're serving more people, I mean we cannot keep up with the number of staff that we have right now, we're having a very difficult time keeping up with the demand of people coming in to our office on a daily basis. I mean, we, we're, it's becoming very difficult, there's just not enough man hours to see everybody within a logical period of time. So that tells us that our rates, I mean, our numbers are going up.

COUNTY JUDGE

Have we figured the reimbursement? What we got from SLIAG? To be appropriated.

RUDY DE LA VINA

Well, we, we know we have some SLIAG monies out, but see, as you know, SLIAG has, is minding down, so like this last fiscal year we only paid two hundred and ten thousand. That was we used to pay almost on a monthly basis, you know, before. So, it's really not that much of an impact, I would think we may have around, oh, close to fifty thousand out that, to be billed or to be reimbursed, more or less, it might be

(09/07/93)

a little bit more, but it ain't, it isn't very much more than that.

COUNTY JUDGE

Do you have a figure....

STEVE AUSTIN

Judge, there, there's approximately four hundred, four hundred and fifty thousand dollars in receivables on the State, right now, of course, those monies are due to the General Fund, because of the loan that, that we had for the cash flow, that is money that is not available for appropriation.

COUNTY JUDGE

Okay, so how much do you think we're being reimbursed from the existing SLIAG? Would it be around fifty thousand?

STEVE AUSTIN

Well that is included in there.

COUNTY JUDGE

Oh, that's included within the, the receivables...

STEVE AUSTIN

Yes.

COUNTY JUDGE

...to the cash flow.

STEVE AUSTIN

Yes.

COUNTY JUDGE

Ah, what do you anticipate, again, we're, we're talking about two hundred thousand dollars a month.

RUDY DE LA VINA

Well, if you factor in, the reimbursements that we received from SLIAG and, and the Indigent 80-20 match, the County in essence is more or less paying out \$254,000.00 a month out of their own dollars. The average expenditures is closer to \$410,000.00 a month, more or less.

COUNTY JUDGE

\$410,000.00.

RUDY DE LA VINA

We, we divided by twelve the fiscal year and including our State contract with the ----- it comes out to over \$400,000.00 month average right now, but again it's sounds mindboggling, but again that, that's the gross, not the net, the net, in terms of what it's costing the County is about \$254,000.00 which is still a lot of money, I mean, you know, but it's when you look at four hundred and ten, it, it kind of boggles your mind; but, again, it's, if we factor in \$400,000.00 a month for the last four months of, remaining in this calendar year, you're talking \$1.6 million, well obviously, I would imagine that, that would be an, almost an impossibility to make a budget amendment for \$1.6 million to fund Indigent Health Care and I would not be recommending that at all, because I know it'd be impossible.

COUNTY JUDGE

Let me, I'm not going to recommend any, any, any action on this point in time, what I'd like to do is, is get with Steve and Rudy and just go, with Ms. Etnire, and, and go through all the figures and see where we actually are and how much more or less will it take and what we can actually fund. We made a couple of budget amendments, I think, today that, that pretty much

may be depleting a lot of the fund balance that we have in the General Fund and I hear Steve's trying to adjust some of the revenues, so that may give us some relief, between now and December 31st, so I think that, that, that if there's a more detailed report that we need Steve, from you, in terms of where we are, in terms of the receivables the cash flow and things like that, maybe we can come back next week and recommend a budget amendment.

RUDY DE LA VINA I'll also be coming back next meeting, I believe, for another budget amendment for the pauper burials and the funeral assistance program, and again it's up to the Court how, what they want to do, but we have no funds, available any more, in that fund and, you know, we still have a good part of the year to go, so that's another thing that needs to be reviewed.

COUNTY JUDGE \$100,000.00 in that also.

RUDY DE LA VINA I can't recall off-hand, Judge.

COUNTY JUDGE All right, I'm not going to recommend any action we'll bring a more detailed report to Commissioners' Court next week, so we can know, okay.

COMM. SANCHEZ Esta bien.

RUDY DE LA VINA Thank you.

COUNTY JUDGE To begin this week, let's set it up, I want Steve and Ms. Etnire involved.

RUDY DE LA VINA Okay, thank you.
SEE "EXHIBIT M"

ITEM 10. PRECINCT #3:
A. Authorization to advertise for paving Sullivan City Health Clinic parking lot

A motion was made by Commissioner Rosel, seconded by Commissioner Camarillo, to authorize the advertising for bids for the paving of the Sullivan City Health Clinic parking lots; bid opening September 29th, bid award October 5th.

MOTION CARRIED.
SEE "EXHIBIT N"

ITEM 11. PRECINCT #4:
A. Re-naming street in Bar 6 Subdivision

Commissioner Camarillo explained that he had received a petition from the residents within this subdivision to rename Juans Street to Encinos Ave. A motion was made by Commissioner Camarillo, seconded by Commissioner Rosel, for the renaming of the street, as presented.

MOTION CARRIED.
SEE "EXHIBIT O"

ITEM 12. PURCHASING DEPARTMENT:

A. Award Bid for used Alpha Micro - County Election System

Mary Maldonado, Purchasing Agent, informed the Court that this was for a used Alpha Micro computer for the County Clerk's Office. She stated that she had received one bid from Centauri for \$22,490.00. Pete Rivera, Systems Administrator then explained that this computer would be used during the early voting period of all elections, at the County Clerk's Office. He stated further that there were several pieces of equipment included in this bid. He continued by saying that this bid would not include the telephone line leads that would be needed to connect this system to the voting substations. Billy Leo, County Clerk, then came up and explained what this new system would offer, in operational terms during the election process. A motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, to award bid to Centauri Computer Systems for the purchase of computer hardware and software, totaling \$22,490.00, this is sole bid.

MOTION CARRIED.
SEE "EXHIBIT P"

ITEM 13. PLANNING DEPARTMENT:

- A. Subdivision:
 - 1. Iglesia Del Pueblo Subdivision - Pct. #3
- B. Discussion and possible action on Basham No. 31 Subdivision - Pct. #3
- C. Public Hearing:
 - 1. Amendment to Change Subdivision Regulations - Section 9.3.4
- D. Approval of amendment to subdivision regulations - Section 9.3.4

13/A

A motion was made by Commissioner Rosel, seconded by Commissioner Arcaute, to approve the plat of Iglesia Del Pueblo Subdivision, which is located on the northwest corner of Western Road and U.S. Hwy 83, City of Mission, Precinct Three.

MOTION CARRIED.
SEE "EXHIBIT Q"

13/B

NO ACTION.

13/C

The County Judge called a public hearing open to discuss a proposed change to the subdivision regulations with regards to Section 9.3.4. Emilio Garcia then explained that the proposed change was for the monies to be received for driveway culverts to be placed on a certain fund, to be used when needed. A discussion then ensued regarding the proposed size of the culverts, which had been specified at eighteen (18) inches. The Commissioners then concurred that no less than fifteen (15) inch culverts would be adequate. Judge Ruiz then explained the proposed change to the public which was "that when a developer comes to plat a subdivision that he in case will deposit to the County of Hidalgo a cost commensurate to any and all culvert pipe necessary for all homes or houses to be built within the subdivision". After a brief discussion, Travis Heister, County Legal Counsel, stated that all that was being done was "charging a sum of money to the subdivider" and then it would be the County's responsibility, it was more of an accounting procedure. After further discussion, the public hearing was hereby closed.

NO ACTION.

13/D

Judge Ruiz read the proposed amendment as follows:

"Driveway Culverts are required for all subdivisions. The Subdivider shall pay County a sum of money in cash determined by the County to be sufficient for the County to purchase and install all Driveway Culverts required for the entire subdivision. Driveway Culverts shall be no less than fifteen (15) inches in diameter. When County has received the designated sum of money in cash from Subdivider, County shall be responsible for the purchase and installation of Driveway Culverts as and when the lots in the subdivision are developed."

A discussion then ensued on how the fee for the culverts would be set, and if there would also be a fee for the installation. Judge Ruiz then recommended that this issue be brought back for discussion at a later date. After this, a motion was made by Commissioner Arcaute, seconded by Commissioner Rosel, that the amendment be effective today, and that subdivisions that have been submitted for approval, not approved by this Commissioners' Court, will fall into this amendment.

MOTION CARRIED. (COMMISSIONER CAMARILLO VOTED AGAINST THE MOTION) SEE "EXHIBIT Q"

ITEM 14. URBAN COUNTY:

A. Approval of bills

A motion was made by Commissioner Arcaute, seconded by Commissioners Sanchez and Camarillo, to approve the 1992 Urban County bills #5094 thru #5098 totaling \$29,108.09. The total Urban County memorandum to be approved is \$29,108.08.

MOTION CARRIED. SEE "EXHIBIT R"

ITEM 15. OFFICE OF EMPLOYMENT AND TRAINING:

ACTION ITEMS:

1. Consider and approve Administrative Amendment of PIC/CEO Agreement
2. Consider and approve ratify submittal for application of Exemplary Youth Program Funds to the U.S. Department of Labor
3. Consider and approve use of unallocated fund balance for in-house client program
4. Consider and approve execution of Executive Director's Contract

5. BRIEFING ITEMS:

- A. Consider and approve PY'93-94 Title II-C Transition Program Funding Recommendations
- B. Consider and approve PY '93-94 Title II-A 8% Grant Funding Recommendations
- C. Consider and approve Fiscal Report
- D. Consider and approve OJT Slots/Flexibility to adjust program design to accommodate growing industry needs
- E. Consider and approve Veterans' proposal letter of rejection
- F. Consider and approve Envisions, American Postal Workers Union, AFL-CIO, Freedom Information Act
- G. Consider and approve Workforce Summit

15/1

Carol West, OET Executive Director, came before the Commissioners' Court with a recommendation from the PIC Board to consider and approve an amended agreement. She explained that her office had been directed by the PIC Board to check with legal counsel on the term of "CEO" as used on the PIC/CEO agreement. She then presented a proposed amended agreement with the corrections with regards to this term. She also stated that they were requesting that the amendment concerning the length of the terms be also added, as amended previously by this Commissioners' Court. The County Judge then stated that he felt that the amendment of this term was from the staff and not the PIC Board and also he wanted to rediscuss the issue of the term length as had previously been amended. After a brief discussion regarding this issue, another discussion ensued concerning the issue of the present contract period. After this discussion the County Judge recommended that the current agreement be kept, as is, which would expire August 25, 1994. Commissioner Sanchez felt that the agreement be amended, with regards to the term "CEO", as he felt that amendments were allowed. This he stated in the form of a motion, which was seconded by Commissioner Arcaute, for the sake of discussion, and he wanted to know what the view of the other Commissioners was in terms of these amendments and the Commissioners stated that they had no problem with this aside from the contract period. Commissioner Arcaute then stated that he felt that the amendment of the term came about due to discussions ensued by the County Judge concerning Willacy County's role in all of this and Judge Ruiz stated that Willacy County had no role because through agreement they had agreed that the County of Hidalgo's Commissioners' Court were the administrative entity. There was further discussion, in which the County Judge restated his position that he felt that these changes were coming from the OET staff and not from the PIC Board. It was during this discussion that it was also restated that amendments could be done on the ongoing contract, as per the PIC/CEO agreement. Commissioners Sanchez and Arcaute withdrew their motion and second, after further discussion, until the use of the term "CEO" was properly clarified.

NO ACTION.
SEE "EXHIBIT S"

15/2

Ms. West explained that OET was continually researching grant possibilities and the Department of Commerce had put an RFP out to notify applicants of \$2.3 million that was available, with the maximum that could be applied for being \$550,000.00. She continued by saying that the PIC Planning Committee met and recommended that the OET apply for these monies and the Board approved this. She stated that this would be a pilot program that would be conducted in the school districts, as listed on the exhibit; it would serve 168 participants which would include at-risk high school juniors and seniors. The program would be for a twenty-four month period and the cost per participant would be \$3,274.00. Services provided through this program would include remediation skills and paid work experience. The County Judge then asked Ms. West if this was the proposal that she had told the PIC Board his office was hiding from them and Ms. West responded that she had not said that they had been hiding it, but that "we had never received our packet..., we received it in fact in the middle of the meeting that night. It was delivered over to the PIC meeting by the Cameron County SDA. Ours was delivered to this (County Judge's Office) post office box, here, according to the Department of Labor, in Washington". The County Judge then made an issue of this, after which he asked her if the PIC Board had seen this proposal. Ms. West responded that it had and that her office had two days to prepare a proposal and send it off. She added that what PIC had approved was their submitting of the proposal. Another discussion was ensued by Judge Ruiz concerning the PIC's knowledge of what was in the proposal and he felt that he couldn't approve something that did not include a budget, etc. Ms. West responded that all she was asking for was concurrence on the submital of the proposal. After further discussion, a motion was made by Commis-

sioner Sanchez, seconded by Commissioners Camarillo and Rosel, to ratify the submittal of the application for the Youth Program funds.

MOTION CARRIED. (JUDGE RUIZ STATED THAT HE WAS OPPOSED)
SEE "EXHIBIT S"

15/3

After Carol West stated that on this particular item, the PIC had graded the proposals that were received on Title II-C and 8% Program and the County Judge asked who had graded the proposals and also if the proposals had been sealed. Ms. West responded that the PIC Chairperson had asked that all members who could attend the grading be there, of which only two were present. The bids on the other hand had been opened and reviewed by staff, in order to be able to answer any questions that the persons grading them might have. She stated that no recommendations were made by her staff other than answering questions that those present and grading might have. After the grading of the proposals, it was determined that only one contractor could successfully be awarded a proposal, "strictly based on the scores that were received". She explained that most of those scores were very low and that many questions went unanswered in the proposals. She stated that the recommendation from those people that graded the proposals, was to award to the single contractor, with modifications, of that proposal. Commissioner Arcaute questioned the modifications and Ms. West responded that these had to do with inconsistencies in the budget, as well as information that was lacking that was required. The PIC had recommended that OET staff sit down with the contractor and try to work out these concerns. A discussion then ensued on the reason for the low scores with Commissioner Camarillo's concern being that, in all the years that this had been done, he had never known of any proposal receiving such low scores. During this discussion, Ms. West stated that there were parts of the proposals that were lacking, such as those pertaining to budgets and this was one of the reasons for the low scores. Judge Ruiz interpreted Ms. West's responses, during this discussion, that the OET staff set some guidelines for the scoring and he felt that this was where staff gave direction. He continued by saying that the PIC members present might not "have been advised on the, on the type of grading that they were to expect". The discussion continued with all of the Commissioners concurring that an in-house program would not be feasible and that maybe the OET should try to assist the proposal applicants in bringing their proposals up to par. After further discussion, a motion was made by Commissioner Sanchez, seconded by Commissioner Camarillo, to disapprove the use of the unallocated funds, for in-house program and that the Commissioners' Court recommend to the Private Industry Council to reconsider their position. Judge Ruiz then felt that the OET staff should also go out and try to bring in schools through interlocal agreements, without going through the competitive bidding process and Commissioner Sanchez felt that only those proposals that were submitted be included in his motion. The motion then stood to not approve the use of unallocated fund balances for in-house client programs and that they recommend to the Private Industry Council that they review those proposals once again and that they make an effort to bring them up to par, or funding level.

MOTION CARRIED. (COMMISSIONER ARCAUTE STATED THAT HE WAS OPPOSED TO
SEE "EXHIBIT S" THE LAST PART OF THE MOTION ONLY.)

Ms. West then stated that they had invited the School Districts to a meeting whereby their input, with respect to programs, was discussed and an agreement was reached that they would work together on youth programs. She then went into detail in explaining the agreement that was reached concerning youth work programs and such. Judge Ruiz then ensued a discussion, whereby he expressed his opposition on Ms. West going into any type of agreement without Commissioners' Court approval and Ms. West responded that it was not a legal agreement, but a coordination agreement, simply saying that the school districts and the Office of Employment and Training "will coordinate our efforts to work

together to benefit the client".

15/4

Carol West, OET Executive Director, explained that on her previous meeting with the Commissioners' Court, whereby her contract was agreed on, she had been told that she would be receiving a contract to sign, within twenty-four hours. She stated that to date she had not received that document for signing, whereby Travis Heister, County Legal Counsel, stated that his office had hand-delivered to the County Judge's Office. County Judge then called upon J.D. Salinas to please call his secretary, while this Court goes over the briefing items.

15/5/A

Ms. West explained that the items under 15/4 were just briefing items, to assist the Commissioners' Court in keeping them up-to-date on what the Office of Employment and Training was doing. She then stated that the transition program funding recommendations had already been discussed in this Court, as well as the scoring done on the proposals.

15/5/B

This was the same as 15/5/A, where she added that the the only proposal that was being considered was from Community Advocacy.

15/5/C

Commissioner Arcaute brought up the point that why couldn't they approve some of the briefing items, with the same conditions that the PIC Board had recommended, and the County Judge stated that as it was placed on the agenda and as Ms. West had stated these were just briefing items. Judge Ruiz then stated that he did not feel comfortable with taking action on any of the items, at this time. After further discussion, the Court decided to leave them as briefing items and continued with item 15/5/C.

Ms. West explained that this was just a budget analysis starting from July 1st, to the present. The County Judge then asked where the II-A carry-over was being spent and Ms. West responded that it involved people that were involved in a contract, their contract and funds were just carried-over; this was basically OJT and work-experience.

15/5/E

Ms. West stated that her office had received a letter from the Department of Commerce on the Veterans' Plan, and she said that OET had requested the grading sheets and they were awaiting that. She continued that her departments' Veterans' proposal was not funded and Commissioner Rosel asked why, and she added that that was why they were waiting for the grading sheet, to see where their proposal was weak.

15/5/D&F

Carol West informed the Court that her office had received a letter from the Department of Commerce stating that some information was being requested from them under the Freedom of Information Act. The law firm of O'Donnell, Schwartz & Anderson were contending that in awarding a contract to Envisions, the Office of Employment & Training was "in effect dislocating postal workers", and she added that this problem was not targeted to just this SDA but to most all of the SDAs in the country. She then went into a brief explanation of the problem, and what was being done, by her office. A discussion then ensued, in which Ms. West explained that the issue of Envisions, as well as that of Converse, had been brought before the PIC Board and the PIC had tabled that item.

15/F/G

This was for the Workforce Summit to be held in Pharr.

Ms. West explained what all would be discussed at the summit and she invited the Commissioners' Court to this conference.

A discussion then ensued regarding Ms. West's recommendation to the PIC Board to close some of the satellite offices and Judge Ruiz wanted to know which offices were targeted for closing. Ms. West replied that she did not have that information with her and she would prefer to bring that information to the Court at a later date.

15/4

Ms. West came back to this item since her contract had not been presented to her for her signature and the County Judge replied that he had no idea where that contract was, but as soon as he located it, he would send it to her office. Ms. West then inquired if she could personally go to Mr. Heister's office for a copy, sign it and send it to the County Judge's Office and Judge Ruiz responded that he would have no problem with that.

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

MOTION CARRIED.

DRAINAGE DISTRICT

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

ITEM 1. REMOVE STOLEN BACKHOE FROM INVENTORY

Vona Walker informed that this backhoe had been stolen, back sometime ago, there was a police report on it, but it had no insurance covering the action by which it was taken. A motion was made by Commissioner Arcaute, seconded by Commissioner Camarillo, to authorize the changing of the inventory, by removing this 1986 Ford Backhoe, serial #C762024, from the inventory.

MOTION CARRIED.
SEE "EXHIBIT T"

ITEM 2. LINE ITEM TRANSFER

A motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to approve a \$100.00 transfer from electricity to travel.

MOTION CARRIED.
SEE "EXHIBIT U"

There being no further business to come before the Drainage

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District, a motion was made by Commissioner Arcaute, seconded by Commissioner Sanchez, to adjourned the meeting.

MOTION CARRIED.