

Jenny



J. EDGAR RUIZ  
HIDALGO COUNTY JUDGE

ICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, AUGUST 16, 1994 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas. Discussion and possible action relating to the following business will be transacted:

NOTICE TO THE PUBLIC

CONSENT AGENDA

The following items are of a routine or administrative nature. The Commissioners' Court has been furnished with background and support on each item, and/or it has been discussed at a previous meeting. All items will be acted upon by one vote without being discussed separately unless requested by a Commissioner, in which event the item will be immediately withdrawn for individual consideration in the normal sequence after the items not requiring separate discussion have been acted upon. The remaining items will be adopted by one vote.

- Approval of Minutes - July 26, 1994
- July 29, 1994

Approval of Bills - County Auditor

Approval of Monthly Fee Reports:

- A. County Clerk - \$ 83,486.85 Part I - July
- B. County Clerk - \$ 104,598.99 Part II - July
- C. District Clerk - \$ 112,157.77 - July
- D. Justice of the Peace:
  - 1. Arnaldo Corpus - \$ 6,676.03 - June
  - 2. Adan Caballero - \$ 8,182.50 - July
  - 3. Ruben Ramos - \$ 6,331.51 - "
  - 4. Pete Leal - \$ 8,061.00 - "
  - 5. Jose I. Ochoa - \$ 7,563.22 - "
  - 6. Jesus Morales - \$ 5,218.00 - "
  - 7. Rosa Trevino - \$ 7,360.82 - "

Planning Department:

- A. Subdivisions:
  - 1. Ro-Ellen Addition Unit No.3 Subd. - Pct. 1
  - 2. A.R.D. Subdivision - Pct. 2
  - 3. Trad Subdivision - Pct. 2
  - 4. Jackson Manor Unit No.3 Subdivision - Pct. 4
  - 5. Resubdivision of Lot 6, Remington Square - Pct. 4

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J. EDGAR RUIZ  
HIDALGO COUNTY JUDGE

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. Permits:

- A. Southwestern Bell Telephone - Pct. 1, 3 & 4
- B. Western Geophysical Company - Pct. 3
- C. La Joya Water Supply Corp. - Pct. 3

. Internal Line Item Transfers:

- A. J.P. Pct. 2, Pl.2 (Rosa Trevino)
- B. J.P. Pct. 4, Pl.1 (Pete Leal)
- C. County Court #3
- D. 139th District Court
- E. 275th District Court
- F. Constable Pct. 5
- G. Library System
- H. County Clerk
- I. Juvenile Probation (4-180-423-664)
- J. Juvenile Probation (4-180-423-674)
- K. Juvenile Probation (4-180-423-644)
- L. Juvenile Probation (4-010-423-610)
- M. Juvenile Probation (4-010-423-300)
- N. Constables
- O. Pct. 2 paved/unpaved
- P. Pct. 3 paved/unpaved
- Q. Pct. 3 park
- R. Youth Village
- S. Youth Village Performance Rewards 1993
- T. Adult Probation Boot Camp
- U. Adult Probation Restitution Center
- V. Health Department - TB Grant
- W. Health Department - Clinics
- X. Health Department - Administration
- Y. Health Department - Comm/Rural Health
- Z. Computer Department

ted this the 12th day of August, 1994.

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J. EDGAR RUIZ  
HIDALGO COUNTY JUDGE

NOTICE

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- . Request audience to discuss the situation involving the position of Hidalgo County Sheriff - Republican Party (Kevin Pagan)
- . Adult Probation Department:
  - A. Approval of Contract Modification for Dr. Humberto Gonzalez
- . Library System:
  - A. Request to advertise for bids for Computer Software
- . Sheriff Department:
  - A. Line item transfers (Sheriff/Jail)
  - B. Declare vehicles surplus & authorization to be sold at auction:
    - 1. One (1) 1994 Ford Mustang
    - 2. One (1) 1989 Chevrolet Pick-up
    - 3. One (1) 1985 Chevrolet Celebrity (4-Door)
    - 4. One (1) 1983 Ford Pick-up F-150
- . Jail Commissary:
  - A. Declare Equipment Surplus:
    - 1. One (1) 20" Color T.V.
- . District Attorney:
  - A. Declare vehicles surplus & authorization to sell at public auction:
    - 1. One (1) 1985 Chevrolet Eurosport
    - 2. One (1) 1987 Dodge Ramcharger
    - 3. One (1) 1982 Ford LTD Crown Victoria
    - 4. One (1) 1983 Chevrolet Van
    - 5. One (1) 1985 Pontiac Grand Am
    - 6. One (1) 1984 Lincoln Continental
- . J.D. Salinas, Project Coordinator:
  - A. Acceptance of Development Council Grant for a feasibility study & authorization to proceed
- . Courthouse Security:
  - A. Appropriate \$ 469.35 for advertising
- . To create personnel director's department & amend budget





J. EDGAR RUIZ  
HIDALGO COUNTY JUDGE

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- . Urban County:
  - A. City of Alamo - Budget Amendment Year 6
  - B. Pct. 1 - Hauling Contract Award Year 6
  - C. Pct. 3 - Change Order No.1 Construction Contract
  - D. City of Elsa - HOME Construction Contract Award for Housing Rehabilitation Program
  - E. City of Pharr - Change Order No.1 from D & V Construction
  - F. Approval of bills
- . Resolution declaring property surplus & appointing Special Commissioner  
Report of Sale & Order confirming sale & authorization to execute Special Commissioner's Deed
- . Office of Employment & Training:
  - A. County of Hidalgo Office of Employment & Training Annual Performance Report
  - B. Consider & approve realignment & modification of the existing structure for the County of Hidalgo Office of Employment & Training

ated this the 12th day of August, 1994.



J. EDGAR RUIZ  
HIDALGO COUNTY JUDGE

NOTICE

NOTICE is hereby given in accordance with Chapter 551, Texas Government Code, that a SPECIAL MEETING of the Commissioners' Court will be held on TUESDAY, AUGUST 16, 1994 at 9:30 A.M. in the Commissioners' Courtroom of the Administration Building, Edinburg, Hidalgo County, Texas, discussion and possible action relating to the following business will be transacted:

DRAINAGE DISTRICT

1. Line Item Transfer
2. Request exemption from bidding in Accordance with Sec. 262.024 (9) (c). Texas Local Government Code
3. Award bid for tires

dated this the 12th day of August, 1994

THE STATE OF TEXAS :

COUNTY OF HIDALGO :

BE IT REMEMBERED that on the 16TH day of AUGUST, 1994, after due notice having been given, there was begun and holden, a SPECIAL MEETING of the Commissioners' Court and the Drainage District, 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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The Honorable J. Edgar Ruiz, County Judge, called the Commissioners' Court meeting to order, whereupon the following proceedings were had, to-wit:

The County Judge began by announcing that there would be a workshop on Friday, August 19, with the Delta Facility Corporation, with regards to the Federal prison issue. The meeting would be held in the Commissioners' Courtroom, at 10:00 AM.

On Monday, there would be another Workshop, with regards to the Budget.

He also reminded the Commissioners that there would be a County Judges and County Commissioners Convention, on August 24-25, in Austin. He stated that this convention was very important because it would include a legislative conference and he urged them to attend.

#### CONSENT AGENDA

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ITEM 1. APPROVAL OF MINUTES - July 26, 1994  
July 29, 1994

ITEM 2. APPROVAL OF BILLS - County Auditor

General Fund	- #101802	- #102998	- \$946,763.30
Special Revenue Fund	- #101042	- #101411	- \$782,828.17
Trust and Agency Fund	- # 4265	- # 4268	- \$334,209.71
Enterprise Fund	- # 1998	- # 2011	- \$ 6,626.50

(SEE "EXHIBIT A")

ITEM 3. APPROVAL OF MONTHLY FEE REPORTS:

A. County Clerk	- \$ 83,486.85	- Part I	- July
B. County Clerk	- \$104,498.99	- Part II	- July
C. District Clerk	- \$112,157.77	- July	
D. Justice of the Peace:			
1. Arnaldo Corpus	- \$6,676.03	- June	
2. Adan Caballero	- \$8,182.50	- July	
3. Ruben Ramos	- \$6,331.51	- "	
4. Pete Leal	- \$8,061.00	- "	

- 5. Jose I. Ochoa - \$7,563.22 - "
- 6. Jesus Morales - \$5,218.00 - "
- 7. Rosa Trevino - \$7,360.82 - "

(SEE "EXHIBIT B")

ITEM 4. PLANNING DEPARTMENT:

A. Subdivisions:

- 1. Ro-Ellen Addition Unit No. 3 Subd. - Pct. 1
- 2. A.R.D. Subdivision - Pct. 2
- 3. Trad Subdivision - Pct. 2
- 4. Jackson Manor Unit No. 3 Subdivision - Pct. 4
- 5. Resubdivision of Lot 6, Remington Square - Pct. 4

4/A/1

Ro-Ellen Addition Unit No. 3 Subdivision is located on Airport Drive and 8th Street, City of Weslaco, Precinct One.  
(SEE "EXHIBIT C")

4/A/2

A.R.D. Subdivision is located on the south side of Cedar Avenue approximately 1000 feet from McColl Road, City of McAllen, Precinct Two.  
(SEE "EXHIBIT C")

4/A/3

Trad Subdivision is located on El Rancho Road and 2nd Street, City of McAllen, Precinct Two.  
(SEE "EXHIBIT C")

4/A/4

Jackson Manor Unit No. 3 Subdivision is located on the northeast corner of Samano Street and Jackson Road, City of Edinburg, Precinct Four.  
(SEE "EXHIBIT C")

7/A/5

Resubdivision of Lot 6, Remington Square Subdivision is located on the southeast corner of Remington Avenue and State Highway 107, City of Edinburg, Precinct Four.  
(SEE "EXHIBIT C")

ITEM 5. PERMITS:

- A. Southwestern Bell Telephone - Pcts. 1, 3 & 4
- B. Western Geophysical Company - Pcts. 3
- C. La Joya Water Supply Corporation - Pct. 3

5/A

In Precinct One, Southwestern Bell Telephone is requesting a permit to bury a cable along Mile 4 North Road, beginning at F.M. 491 and going east to Mile 2 1/2 East Road. In Precinct Three they are requesting a permit to bury a cable along Minnesota Road, beginning at Mile 5 1/2 and going north for 745 feet. In Precinct Four they are requesting a permit to cross Mile 17 1/2, approximately 970 feet east of Depot Road.

(SEE "EXHIBIT D")

5/B

In Precinct Three, Western Geophysical Company is requesting a permit to do seismographic work along Iowa Road, beginning at Mile 14 and going south to Mile 10 1/2.

(SEE "EXHIBIT D")

5/C

La Joya Water Supply Corporation is requesting a permit for eight inch, ten inch and twelve inch PVC water lines at various locations in Precinct Three.

(SEE "EXHIBIT D")

ITEM 6. LINE ITEM TRANSFERS:

- A. J.P. Pct. 2, Pl. 2 (Rosa Trevino) - \$66.50
- B. J.P. Pct. 4, Pl. 1 (Pete Leal) - \$608.33
- C. County Court #3 - \$744.52
- D. 139th District Court - \$2,325.00
- E. 275th District Court - \$100.00
- F. Constable Pct. 5 - \$248.15
- G. Library System - \$1,182.21
- H. County Clerk - \$800.00
- I. Juvenile Probation (4-180-423-664) - \$23,234.00
- J. Juvenile Probation (4-180-423-674) - \$19,143.00
- K. Juvenile Probation (4-180-423-644) - \$42,232.00
- L. Juvenile Probation (4-010-423-610) - \$500.00
- M. Juvenile Probation (4-010-423-300) - \$2,025.00
- N. Constables - \$1,800.00
- O. Pct. 2 Paved/Unpaved - \$10,000.00
- P. Pct. 3 Paved/Unpaved - \$6,500.00
- Q. Pct. 3 Park - \$7,800.00
- R. Youth Village - \$600.00
- S. Youth Village Performance Rewards 1993 - \$3,900.00
- T. Adult Probation Boot Camp - \$700.00
- U. Adult Probation Restitution Center - \$3,700.00
- V. Health Department - TB Grant - \$23.25
- W. Health Department - Clinics - \$2,400.00
- X. Health Department - Administration - \$2,686.00
- Y. Health Department - Comm/Rural Health - \$1,317.49
- Z. Computer Department - \$2,500.00

(SEE "EXHIBIT E")

Judge Ruiz informed the Commissioners that there was a change on Item 6/0, with the change being with regards to the transfer, as corrected on the exhibit. He then asked the Commissioners if they had any other questions with regards to the Consent Agenda, there being none, a motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve the Consent Agenda, as corrected; Item 6/0 changing it \$5,000.00 from #37 and \$5,000.00 from #62, instead of \$10,000.00 from #62.

MOTION CARRIED.  
SEE "EXHIBITS A-E"

REGULAR AGENDA  
=====

ITEM 1. REQUEST AUDIENCE TO DISCUSS THE SITUATION INVOLVING THE POSITION OF HIDALGO COUNTY SHERIFF - Republican Party (Kevin Pagan)

JUDGE RUIZ                                    Our regular agenda, our first item is a request for audience, from Mr. Kevin Pagan, representing the Republican Party, to discuss the issue of the Hidalgo County Sheriff's Office. Is that correct, Kevin.

KEVIN PAGAN                                    That's correct, Judge.

JUDGE RUIZ                                    Good morning.

KEVIN PAGAN                                    Good morning, Judge, Commissioners.

COMM. SANCHEZ                                    Good morning.

COMM. CAMARILLO                                    Good morning sir.

KEVIN PAGAN                                    My name is Kevin Pagan and I appreciate the opportunity to speak to you this morning on a matter of great concern to the citizens of, of Hidalgo County; and while I do speak at, on the request, ah, at the request of and on behalf of the Hidalgo County Republican Party, I believe, in a larger sense, I also speak for the wishes of many of the voters, Democrat, Republican and Independent alike, in this County, who are concerned with the current status of the Office of Sheriff, in this County. I won't spend time go-

ing into the background of what brings us to the point where we are today, because this Court is well aware of the circumstances, ah, such as they are that, that bring us to this point. I will, however, say that it is clear both from the, ah, reports that I'm sure the Commissioners have been receiving on their telephones and the reports that we've seen in the news media that the voters of this County are very concerned about the Office of Sheriff, at this moment; and the polling...

JUDGE RUIZ

Mr. Pagan.

KEVIN PAGAN

Yes sir.

JUDGE RUIZ

Can I interrupt you, real quickly...

KEVIN PAGAN

Yes sir.

JUDGE RUIZ

...just to clarify a point, in terms of how, how you're phrasing that. Are we, are we talking about concerns in the department or are we talking about the position of Sheriff?

KEVIN PAGAN

We're talking about the position of Sheriff, Judge...

JUDGE RUIZ

All right, thank you.

KEVIN PAGAN

...and, and to, and I appreciate you're clari.., clarifying that, that's the only thing that I'm addressing we have no other, ah, concerns about the department at this moment. Ah, the concern, of course, is the ability, or, perhaps better stated, inability of the current officeholder of the Office of Sheriff to carry out his duties. There's a lot of uncertainty about that office right now and there've been a lot of reports in the news media, ah, statements by members of this Commission and, and by other public officials; a feeling almost of helplessness to do anything. However, I would like to bring to the Commissioners' Court attention and I'll ask the reporter if she'll be so kind as to help me distribute copies of a section of the Local Government Code; Section 87.031, which states in pertinent part that any County Officer in, and the, the County officeholders are defined earlier in the, ah, in the Code and the Office of Sheriff is included in that list. That any county, ah, officer who is convicted of a fel-

oney is automatically removed from office. Ah, actually, I believe, the exact language to make sure that I'm precise is that, ah, "the conviction of a county officer by a petit jury for any felony or a misdemeanor involving official misconduct operates as an immediate removal from, of that of.., from office of that officer". At this point, it is our position and a position that we believe has legal basis that, one of two things, that either those conditions have already occurred, by the findings of the jury, with respect to the current officeholder of the, ah, Office of Sheriff or that those conditions are very likely to be met on the day, which may be as early as September the 1st, which the trial judge enters a final order of conviction, ah, in the case pending, in Laredo. It's our position that either now, based on the jury's findings, or no later than the moment that that order of conviction is signed that that office will be vacant, at that moment. If those conditions are already met or if those conditions occur on or before September the 4th, 1994, which is the date that, that's been widely reported in the media, and which, I believe, we're all aware, then it's our position that this Court has a duty, an obligation to the voters of Hidalgo County to place, to declare the office vacant and to place the Office of Sheriff on the ballot for the November General Election. I'd like to stop here and digress and say that this, as I said at the offset, that while I speak for the Republican Party, which obviously will, ah, will tender a candidate for placement on that ballot, this is not a partisan issue. Our position is, is that the voters of this County should be allowed to decide who is going to hold the Office of Sheriff. I don't suggest to this Commissioners' Court that this is a commonplace occurrence about which there's a, ah, a plethora of, of examples for us to follow. However, I do suggest to the Court that any ambiguities, about the law, about the statutes or about what should be done should be resolved in favor of the voters of the County; and that is all that we're asking for is that since that office, right now, for all practical purposes is vacant and may very well be for all legal purposes vacant, as, as early as September 1st, then this Court should take the initiative, declare the office vacant as is allowed under the statute that I distributed and call for an election,

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ah, for that office; and again I point out that while the Republican Party will certainly have a candidate for that position, I suspect the Democratic Party probably will also have a candidate for that position and also point out that Independent candidates are also allowed to run, regardless of whether they have a Party nomination or not, under those circumstances. So, this is not a partisan, Republican versus Democrat, ah, situation, it's a situation where we are calling for, as are the overwhelming majority of the voters in this County, calling for this Court to conduct an election to allow voters to fill that office. I also point out a question which is in respon., anticipating the question which I suspect with, will follow and that is "What happens in the event, ah, that the current Sheriff appeals his conviction in the Laredo Court?". Well, a second statute which I did not, unfortunately, get copied, but which follows immediately after the one that I handed you, that is at 87.032 gives the trial court the authority to, to in effect, prohibit the Sheriff from returning to his Office even if he appeals. In other words, the normal course of events will be a conviction and an appeal; and the appeal would in effect supercede his removal from office. However, the trial judge has the authority, under that statute, to tell the Sheriff, "even though you are appealing, I'm not going to allow you to return to you're office". Again, we can't anticipate what the trial judge up there may or may not do, but we are urging this Court to, number one, take the initiative and declare the office vacant and make the assumption that the trial court, will in fact do that, so that at least this Court is prepared to conduct an election. Again, we're talking about some practical circumstances of which I'm sure you're all aware and that is that there may be a very short period of time for the Court to act, if, as events unfold between now and September 4th. Again, I, I hope that my remarks have not, ah, appeared of a partisan nature, they're certainly not intended to. We're simply asking that if this Court is uncertain about what to do, ah, certainly the voters right now, at this moment are very disillusioned with, ah, with this particular situation and this Court can take a giant step toward restoring the faith in the voters to our elected officials by saying, "we're going to allow the voters of this

County to decide who this, who the Sheriff should be, in Hidalgo County"; and that, gentlemen, is, ah, what we are asking for and we appreciate your consideration. We also, ah, while I understand that, that these are weighty matters about which you may seek counsel and so forth, I hope that you will also understand that, that, ah, the Republican Party, like the other potential independent candidates and, and I'm sure the Democratic Party, ahm, has a limited amount of time to decide what we need to do, in terms of tendering a candidate or taking other steps to make sure that we have the opportunity to place a candidate on the ballot for that position. So, again while I understand the weighty matters we would appreciate some response from the Court so that we can at least anticipate, ah, what actions we might need to take, ah, to, to carry out, ahm, this election. Thank you, Your Honor, that's all my prepared remarks.

JUDGE RUIZ

Thank you.

KEVIN PAGAN

I'd be happy to answer any questions if are any.

JUDGE RUIZ

Well, I, I, I, I must say Mr. Pagan that, that in terms of the comments that you have made, I, I really agree with at least eighty to eighty-five percent of what you've been, been saying. Ah, and I appreciate your comments and your concerns, to tell you the truth and I think the concern that you have reflected here today, in terms of the voter is, is the concern that all the Commissioners and myself and many other elected officials and parties, ah, have, have, have raised, ah, also. We have sought a lot of legal counsel, on this particular issue, we have gone to the point of researching how the issue of Oscar McGinnis, was handled many years back, to, to make sure that the steps of Commissioners' Court will take or have taken and the positions that have been, ah, taken and will be taken are actually legal. In essence, we have to protect the voter and the citizen by taking action that is legal, in terms of us as, as a governmental entity. Ah, we are placed in a position of a governmental entity, we cannot take the position of being Democrats, which, I think we all are, I am, ah, or Republican or, or an Independent. We, we, we are an entity that will, are seeking or, taking the steps administrative-

(08/16/94)

ly and legally to ensure that, that this is done correctly. It's my interpretation of the law, at this point in time, that at this point there still is no vacancy and, and I think that in, in, even if you address to 87.031, if you read (A), if you read (B) it says, "the court rendering judgment of such a case, shall include an order removing the officer in the judgment". It seems like my interpretation is that that judgment has to be rendered by the judge, even though the, the jury has made a decision, that the judge has to render judgment at some point in time and they will and you are correct, I think, that if that happens prior to September 4th, Commissioners's, Commissioners' Court will immediately inform all Parties, independents, alike and call for an election immediately; ah, and, and, and will be ready to roll with an election come November, but I think, that if the, the, the process lingers and continues until a judgment, ah, is rendered by the judge later than September 4th, than at that point Commissioners' Court may take other action, ah, because the law is clear that at that point Commissioners' Court may have the responsibility, ah, to appoint. The, we have looked at the appeals process and the possibility of an appeal and a suspension and many things; we will have to gauge what the judge actually says. The judge, as you well know, has the authority to remove him from office, suspend him, ah, ahm, do many things during his judgment process. Even after sentencing, I think, there is a thirty day of appeal that may drag this on, if, if a court case is going to be September something, thirty days after the, the Sheriff may have an appeals process, so, it may take a second delay to find out what the appeal, at that point the judge will render in terms of an appeal. So, the unfortunate thing is that, it may happen as quickly as tomorrow, whereby the Sheriff may just render a resignation and the process begins or the judge calls the Court to, to, ah, ah, convene September 1, and it happens before September 5th or it happens later. I think we're prepared, we have, I, I think we were in good legal, ah, stands, as far as, Commissioners' Court and we'll take the appropriate action. I will let you know that, that, that, ah, it's not easy for us and that it is, it's the hopes that we will try to get this as democratic as possible, for all people, hopefully to vote on this parti-

cular issue, ah, depending on the legal status.

KEVIN PAGAN

I assume you mean Democrat, with a small "D",  
Your Honor. (LAUGHTER)

JUDGE RUIZ

Well. Mr. Pagan, thank you so much for your  
comments.

KEVIN PAGAN

Thank you.

JUDGE RUIZ

I appreciate it.

KEVIN PAGAN

Thank you for your time, Commissioners.

COMM. ROSEL

Judge, the only thing I'd like to say is that,  
ah, I, I'd like to re-emphasize that this is not  
only about, a concern about, one which voters  
have, but every resident who lives in this  
County; and there have been many, many, MANY  
people who have called to our office and asked  
us why hasn't it happened and we have to sit  
there and answer, "we just don't have that kind  
of authority to remove him from this, from this  
particular position". I think that, ah, it is  
obvious, that we have a, a wounded, ah, leader  
out there and perhaps in somebody else's opinion  
we don't have an, ah, a leader. Perhaps it's a,  
perhaps it's a situation which needs to be reme-  
died immediately and I think, we all agree with  
that; but I think that we have been preparing  
in our own minds and in our hearts and waiting  
for the legal counsel to instruct us as to what  
procedures we need to take; believe me, you  
know, you know, and I don't say this against  
the person who is presently there, I'm saying  
this about the person who is, ah, presently  
hol., who is holding the position, because if  
my brother were holding the position, I would  
still have the same attitude. I think that, ah,  
when, if there were something that we could have  
done, or could do, I would have found out by now  
and I think that someone would have called me by  
now and I would have been already on the Commis-  
sioners', ah, ah, Court agenda, asking for some-  
thing to be done, 'cause I think it concerns  
everyone who lives in this County and comes  
through this County. So, Judge, I, I agree with  
your comments and I just wanted to re-emphasize  
that if there was something that could have been  
done I would have already done and number two,  
it doesn't concern only the voters, it concerns  
every person who lives and breathes here in this

County. Thank you, Judge.

JUDGE RUIZ

Thank you, Commissioner. Kevin, I appreciate your concern.

KEVIN PAGAN  
(SEE "EXHIBIT F")

Thank you.

ITEM 2. ADULT PROBATION DEPARTMENT:

A. Approval of Contract Modification for Dr. Humberto Gonzalez

Joe Lopez, Adult Probation Director, came before the Court requesting modification of a present contract with Dr. Humberto Gonzalez. The request was basically to extend the amount of the contract by an additional \$9,000.00, to come out of Performance Rewards monies. A motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to approve a contract modification and also because it goes over a \$10,000.00 annual appropriation, that under professional services, waive it from the bidding procedure.

MOTION CARRIED.  
SEE "EXHIBIT G"

ITEM 3. LIBRARY SYSTEM:

A Request to advertise for bids for Computer Software

A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to authorize the advertising for bids for computer software for cataloging system software package, for the Hidalgo County Library System; bid opening September 7th, bid award September 12th.

MOTION CARRIED.  
SEE "EXHIBIT H"

ITEM 4. SHERIFF DEPARTMENT:

- A. Line item transfers (Sheriff/Jail)
- B. Declare vehicles surplus & authorization to be sold at auction:
  - 1. One (1) 1994 Ford Mustang
  - 2. One (1) 1989 Chevrolet Pick-up
  - 3. One (1) 1985 Chevrolet Celebrity (4-Door)
  - 4. One (1) 1983 Ford Pick-up F-150

4/A

Dick Dickinson informed the Court that they would like to transfer monies from Objects #27 and #03, in the Jail to Objects #28 #95 and #64. The total amount being transferred is \$6,500.00. He added that the equipment repairs were for kitchen repairs. A discussion then ensued with regards to the transfers of monies from the 03 category and Captain Dickinson stated that they would not have to move these monies if they were allocated sufficient funds in the #65 category. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve a line item transfer, of \$6,500.00, in the Jail budget.

MOTION CARRIED.  
SEE "EXHIBIT I"

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve a line item transfer of \$3,160.00, from salaries to cleaning/sanitation, office equipment and machinery/equipment.

MOTION CARRIED.  
SEE "EXHIBIT I"

4/B

After a brief explanation of the vehicles in question, a motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to authorize the declaration of vehicles surplus and authorize the sale by auction.

MOTION CARRIED.  
SEE "EXHIBIT I"

- ITEM 5. JAIL COMMISSARY:
  - A. Declare Equipment Surplus:
    - 1. One (1) 20" Color T.V.

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize the declaration of equipment surplus, of a particular color T.V. and authorize the disposal of said equipment through the Purchasing Department.

MOTION CARRIED.  
SEE "EXHIBIT J"

- ITEM 6. DISTRICT ATTORNEY:
  - A. Declare vehicle surplus & authorization to sell at public auction:

(08/16/94)

1. One (1) 1985 Chevrolet Eurosport
2. One (1) 1987 Dodge Ramcharger
3. One (1) 1982 Ford LTD Crown Victoria
4. One (1) 1983 Chevrolet Van
5. One (1) 1985 Pontiac Grand Am
6. One (1) 1984 Lincoln Continental

A motion was made by Commissioner Camarillo and seconded by Commissioner Arcaute, to authorize the declaration of vehicles surplus and to sell at public auction.

MOTION CARRIED.  
SEE "EXHIBIT K"

- ITEM 7. J.D. SALINAS, Project Coordinator:
- A. Acceptance of Development Council Grant for a feasibility study & authorization to proceed

J.D. Salinas, Project Coordinator, introduced Mr. Richard Hinojosa, from the Lower Rio Grande Valley Development Council, who stated that they had been receiving a yearly allocation from the Texas Natural Resource Conservation Commission (TNRCC) of which they had budgeted about \$10,000.00 for the County. These monies are to be used for a feasibility study for a materials recovery facility, to be possibly built in the Precinct Four area. A workplan would have to be set up and sent to the State for approval, after which the possibility of this facility would be considered. Mr. Hinojosa added that this type of work has already been done by the Council, and they would be following the model study of the Alamo Area Council of Governments. A motion was made by Commissioner Camarillo and seconded by Commissioners Arcaute and Sanchez to accept the grant, to authorize the continuation to proceed for the work program for the Hidalgo County material recovery facility and to use as a guide for developing this particular work plan, the Alamo Area Council of Government Plan.

MOTION CARRIED.  
SEE "EXHIBIT L"

- ITEM 8. COURTHOUSE SECURITY:
- A. Appropriate \$469.35 for advertising

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to authorize the appropriation, from Courthouse Security Bond money, an amount of \$469.35 for advertising.

MOTION CARRIED.

SEE "EXHIBIT M"

ITEM 9. TO CREATE PERSONNEL DIRECTOR'S DEPARTMENT & AMEND BUDGET

Judge Ruiz informed the Court that since the approval of civil service, one of the issues previously discussed was the implementation of a personnel department. He explained that the position of personnel director would be a liaison between the Commissioners' Court and the Civil Service Commission. He added that he felt that this process had to begin somewhere and he was recommending two positions for this department and annual salaries, as follows: a personnel director position with a salary of \$25,000.00 and a secretarial position with a salary of \$13,500.00. The budget for this department, for the next year would probably be \$100,000.00, to be used primarily for professional consultations, in setting up the job descriptions. He was at this time requesting that a budget be set up for the remaining of this year, in the amount of \$22,610.32, with this department being housed in the second floor of the Administration Building. The County Judge also mentioned that the position for the personnel director would be advertised and brought back to Commissioners' Court for consideration. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to establish a personnel office and to authorize \$22,610.32, from the General Fund, for this department; establish a director's salary of \$25,000.00 annually and a secretarial position of \$13,500.00.

MOTION CARRIED.  
SEE "EXHIBIT N"

ITEM 10. HEALTH DEPARTMENT:

- A. Approval of LRGVDC Area Agency on Aging Grant, Health Promotion Project - \$5,581.00
- B. Authorization & possible action to purchase 4 - 55 gal. drums of mosquito mist in the amount of \$7,865.00 to be used in Pct. 1 & Pct. 3 & authorization transfer of funds from Road & Bridge (Sanitation)

10/A

Ofelia Espinoza, Health Budget/Personnel Director, came before the Court to request approval of a grant from the LRGVDC Area Agency on Aging, for a Health promotion project. The grant amount is \$5,581.00 to be used for screening tests and also to provide expenses for the motor home repairs. A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to authorize and accept a grant from the Area Agency on Aging in the amount of \$5,581.00 and to appropriate said grant into equipment (Object 12), office supplies (Object 14), equipment repairs (Object 64) and equipment (Object 95).

MOTION CARRIED.  
SEE "EXHIBIT O"

10/B

After a brief discussion regarding the use and need for the mosquito mist, a motion was made by Commissioner Camarillo and seconded by Commissioner Sanchez, to authorize the purchase of the four fifty-five gallon drums of mosquito mist and authorize the transfer of funds from Road & Bridge County Wide to the Sanitation Department, for this purchase.

MOTION CARRIED.  
SEE "EXHIBIT O"

ITEM 11. REQUEST FOR FINANCIAL SUPPORT FOR 1994 & 1995 - Progreso Community Development Center (Lupita Flores)

Ofelia Martinez, Progreso Community Development Committee Secretary, came before the Commissioners' Court to present a budget for the coming year for the Center. The total budget would be \$40,020.00, as well as an additional \$1,000.00 for cleaning supplies, office supplies and telephone for the remainder of this year. The request was for the Commissioners' Court to assist them on a budgetary basis. Commissioner Sanchez spoke in favor of this request and added that this could possibly be handled through the Park Fund. Judge Ruiz then added that she could also try to discuss this with the various agencies, that they work with, as they all have monies appropriated for administrative purposes. He also mentioned that this budget could be handled under Precinct One and possibly in next years budget. This was followed by a brief history of the Center, by Commissioner Sanchez.

NO ACTION.  
SEE "EXHIBIT P"

At this point the County Judge strayed from the Agenda and referred to a letter from the Jail Commission, particularly with regards to the need of six detention officers. He added that the base pay for each officer would be \$16,832.91, which would entail an amount of approximately \$41,832.91, through December 31, 1994. He also brought up the issue of Courthouse security which would entail four additional deputy Sheriffs at a base pay of \$21,113.00, two security officers at an annual salary of \$16,839.00 and three communications officers, at an annual salary of \$15,511.00. This would total to \$67,801.86 through December 31, 1994. Judge Ruiz's main point was for the consideration of the abolishment of the Highway Patrol, because he felt that the issues mentioned previously, as well as meeting 911 demands, were of a greater

priority. Commissioner Camarillo then questioned the abolishment with regards to the present staff and Judge Ruiz clarified that the present staff would be transferred to the Sheriff's Office, along with their equipment. Commissioner Rosel then questioned the Judge's recommendation and suggested that they re-evaluate the Sheriff's Department, instead of abolishing the County Patrol. Commissioner Sanchez then added that the issue here was not only a budgetary issue, but one of complying with jail standards, meeting 911 demands and Courthouse security.

ITEM 12. BUDGET AMENDMENTS:

- A. County Highway Patrol
- B. Adult Detention Facility
- C. Sheriff Department

Judge Ruiz then continued the previous discussion by saying that his recommendation at this time was to abolish the County Highway Patrol and amend the budget by \$57,244.13. The discussion continued with regards to the present and future duties of the patrolmen, as well as their salaries, with comments from Dick Dickinson, from the Sheriff's Department. Commissioner Rosel then indicated that he felt that this Court was trying "to remedy a problem by throwing more money at a particular department rather than going in there and re-evaluating and coming out with some type of recommendations...and two, my particular position of County Highway patrolman has done a good job and...I think it's a shame that one particular person is going to have to pay for the sins of some other people that are not doing their job. My opinion". A motion was then made by Commissioner Arcaute and seconded by Commissioner Sanchez, to transfer, effective September 1, the budget of the County Highway Patrol, in the amount of \$57,244.13, to the Sheriff's Office, amending the budget of the General Fund by \$52,390.64; creating six detention officer positions at \$16,839.00, four deputy Sheriff's at a salary of \$21,113.00, three communication officers at a salary of \$15,511.00, and two security officers at \$16,839.00; the five patrolmen that are to be transferred will keep their same salary.

MOTION CARRIED. (COMMISSIONER ROSEL VOTED AGAINST THE MOTION, JUDGE SEE "EXHIBIT Q" RUIZ VOTED IN FAVOR OF THE MOTION)

Commissioner Sanchez then stated that "this [was] not a question of performance" and Judge Ruiz concurred and added that it was more a matter of priorities.

ITEM 13. PCT. #1:

- A. To create two (2) new temporary full-time positions from August 16 thru December 31, 1994
- B. Accept contribution from Weslaco ISD (Road Materials)

Commissioner Sanchez explained that this would come from some monies that will be available in his 03 category. The temporary positions are basically for the work that is being done at Delta Lake. He then made a motion, which was seconded by Commissioner Arcaute, to create two temporary full-time positions, at a salary of \$5.00 per hour, effective immediately.

MOTION CARRIED.

13/B

Commissioner Sanchez stated that this was a contract that had been approved back in June, and he was requesting the acceptance of a \$20,000.00 contribution to off-set the cost for the paving of the street, from the Weslaco ISD. He then made a motion, which was seconded by Commissioner Arcaute, to approve a contribution in the amount of \$20,000.00 from the Weslaco Independent School District, that that money be accepted and transferred to the Precinct One Road & Bridge Item #37.

MOTION CARRIED.

ITEM 14. PCT. #3:

- A. Approval of Interlocal Agreement between City of Palmview & Hidalgo County
- B. Approval of Interlocal Agreement between La Joya ISD & County of Hidalgo

Commissioner Rosel informed the Court that this was for two interlocal agreements for some paving work at the Headstart buildings in the areas of La Joya and Palmview. A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to approve two interlocal agreements with the Cities of La Joya and Palmview, for the paving of parking lots, that will be used by the Headstart Centers.

MOTION CARRIED.  
SEE "EXHIBIT R"

ITEM 15. PCT. #4:

- A. Authorization for budget amendment to the Landfill Acct. #4-790-432-440.82 - \$20,000.00

Commissioner Camarillo explained that this was to pay a pending bill to BFI for waste that could not be processed in the shredder. He added that this amendment would probably carry them through December 31. A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel, to authorize a budget amendment, from the General Fund to the

Enterprise Fund, of \$20,000.00.

MOTION CARRIED.  
SEE "EXHIBIT S"

ITEM 16. PLANNING DEPARTMENT:

A. Subdivisions:

- 1. El Obispado Subdivision - Pct. 1
- 2. Sun Valley Unit No. 1 Subd. - Pct. 1
- 3. Basham Subdivision No. 35 - Pct. 3

16/A/1

A discussion was ensued by Commissioner Sanchez with regards to the cuts, done by the developer, in the street, within this subdivision. Emilio Garcia, Chief Planner, responded to his concerns by saying that they have acquired a guarantee of twenty-four months on the this issue, in the form of an affidavit by the developer. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve the plat of El Obispado Subdivision which is located on the southeast corner of Mile 14 North and Mile 6 West, City of Weslaco, Precinct One.

MOTION CARRIED.  
SEE "EXHIBIT T"

16/A/2

A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve the plat of Sun Valley Unit No. 1 Subdivision, which is located at the southwest corner of 18th Street and Border Avenue, City of Weslaco, Precinct One. (NOTE: This subdivision will have curb and gutter.)

MOTION CARRIED. (JUDGE RUIZ ABSTAINED FROM ANY PARTICIPATION ON THIS SEE "EXHIBIT T" ITEM, AS IT IS OWNED BY HIS WIFE)

16/A/3

A motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, to approve the plat of Basham Subdivision No. 35, which is located approximately 3/4 mile north of the 3 Mile Line, on the west side of Bentsen Palm Drive, City of Mission, Precinct Three. Approval is conditional on the following items, before the release of the letter of credit:

- 1) all street signs, traffic control devices be installed by the developer; and
- 2) testing of the streets shall be done in accordance to the Subdivision Regulations.

MOTION CARRIED.  
SEE "EXHIBIT T"

ITEM 17. PURCHASING DEPARTMENT:

A. Award Bids:

1. Reinforced concrete pipe & Polyethylene pipe - Co. Wide
2. Two (2) vehicles - HIDTA
3. Anzaldua's Park Security - Pct. 3
4. Fueling Tank System - Hidalgo County

B. Request to advertise:

1. Dry/cold storage - Community Service Agency
2. Pit-run Caliche - Pct. 1, 2 & 4

C. Accept bids for Cafeteria Plan

17/A/1

Mary Maldonado, Purchasing Agent, informed the Court that she had received four bids for reinforced concrete pipe and polyethylene pipe. The bidders were The Rohan Company, out of Harlingen, W.T. Liston, out of Harlingen, Advanced Drainage Systems, Inc, out of Dallas and Varmicon, out of Dallas. Her recommendation for the reinforced concrete pipe is W.T. Liston, on the twelve-inch and fifteen-inch size and Varmicon, on the eighteen, twenty-four, thirty and thirty six inch size. She is also recommending The Rohan Company for the purchase of polyethylene pipes, all sizes, by either the truckload or less than the truckload. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to accept low bids of W.T. Liston, Varmicon and The Rohan Company, as presented.

MOTION CARRIED.  
SEE "EXHIBIT U"

17/A/2

Ms. Maldonado informed the Court that she had received three bids for vehicles, for the HIDTA Grant. These being from Bert Ogden Motors, Inc., out of Edinburg, Crosstown Ford, out of Corpus Christi, and Yoder Ford, Inc., out of Edinburg. She was at this time recommending that the bid be awarded to Bert Ogden Motors, Inc., for the full-size pick-up, meeting all specifications, at a bid price of \$19,480.00. The bid on the four-door sedan, however did not meet all specifications. A discussion then ensued regarding the re-advertising for both vehicles versus the advertising for just the sedan. A motion was then made by Commissioner Arcaute and seconded by Commissioner Sanchez, to reject all bids received on the purchase of two vehicles, and authorize the re-advertisement for bids for new vehicles; bid opening September 7, bid award September 12.

MOTION CARRIED.  
SEE "EXHIBIT U"

17/A/3

Ms. Maldonado indicated that she had received two bids for security services at Anzaldua's Park. The bids received were from Quintanilla Security Service and International Executive Security. A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to take all bids UNDER ADVISEMENT, for Anzaldua's Park securi-

ty, in Precinct Three.

MOTION CARRIED.  
SEE "EXHIBIT U"

17/A/4

Judge Ruiz stated that this item had been taken under advisement previously. Since then, he had taken it upon himself to inspect the bid, and he felt that it did meet specs, as they were written to meet this particular system and hence it kept a lot of bidders from bidding. He then stated that he was at this time recommending that this bid should be rejected. Commissioner Arcaute then stated that specs were also submitted by another company, and those specs were almost identical to the one used, but he did not know why this other company did not bid. He was, however, concerned with the issue that the specs were not fair to other bidders. A motion was made by Commissioner Rosel and seconded by Commissioner Sanchez, to REJECT ALL BIDS.

MOTION CARRIED.  
SEE "EXHIBIT U"

17/B/1

A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to authorize the advertising for bids for the leasing of dry and cold storage, for the Community Service Agency; bid opening September 7th, bid award September 12th.

MOTION CARRIED.  
SEE "EXHIBIT U"

17/B/2

A motion was made by Commissioner Arcaute and seconded by Commissioner Camarillo, to authorize the advertising for pit-run caliche, for Precincts One, Two and Four; bid opening September 7th, bid award September 12th.

MOTION CARRIED.  
SEE "EXHIBIT U"

17/C

Judge Ruiz informed the Commissioners that they had received nine bids for the Cafeteria Plan, with Dental Plan and he was requesting that they all be taken under advisement. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to take all bids received for the Cafeteria Plan, UNDER ADVISEMENT.

MOTION CARRIED.  
SEE "EXHIBIT U"

ITEM 18. URBAN COUNTY:

- A. City of Alamo - Budget Amendment Year 6
- B. Pct. 1 - Hauling Contract Award Year 6
- C. Pct. 3 - Change Order No. 1 Construction Contract
- D. City of Elsa - HOME Construction Contract Award for Housing Rehabilitation Program
- E. City of Pharr - Change Order No. 1 from D & V Construction
- F. Approval of bills

18/A

Anthony Covacevich, Urban County Director, informed the Court that the City of Alamo was requesting a budget amendment for Year 6. They were reducing General Administration and Street Improvements to create Acquisition and Parks/Facilities. A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve the budget amendment for Year 6, as requested by the City of Alamo.

MOTION CARRIED.  
SEE "EXHIBIT V"

18/B

Mr. Covacevich stated that Precinct One was requesting approval of a hauling contract with the following two bidders: Martin Rendon, Jr. and Rene Rendon. This would be for personal services not to exceed \$9,999.00. After a brief discussion, with regards to the bidding procedure, the County Judge recommended that they leave out the amount of \$9,999.00, and to exempt them from the bidding procedure, under personal services. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to approve Martin Rendon, Jr. and Rene Rendon, as haulers for Precinct One, under the Urban County Program and to exempt them under personal services, from the bidding procedure.

MOTION CARRIED.  
SEE "EXHIBIT V"

18/C

Mr. Covacevich indicated that Precinct One was requesting approval of a change order with Mission Paving. The change order was for the the addition of Los Ebanos Road, from Mile 4 to Mile 5 and it would entail an additional amount of \$27,763.86. A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to approve change order #1 with Mission Paving, of \$27,763.86.

MOTION CARRIED.  
SEE "EXHIBIT V"

18/D

As no bids were received, a motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to authorize the advertising for bids for HOME construction contract awards, for housing rehabilitation, in the City of Elsa; bid opening September 7th, bid a-

ward September 12th.

MOTION CARRIED.  
SEE "EXHIBIT V"

18/E

The City of Pharr was asking for approval of a change order, on their colonia contract, with D & V Construction. This is for Sing Subdivision and the change order is for additional street work, in the amount of \$13,494.71. As the additional street work was requested by the City, this change order amount has been paid by the City of Pharr. A motion was made by Commissioner Arcaute and seconded by Commissioner Rosel, to approve change order #1, with D & V Construction Company, to extend the paving program by \$13,494.71.

MOTION CARRIED.  
SEE "EXHIBIT V"

18/F

A motion was made by Commissioner Rosel and seconded by Commissioner Camarillo, to approve the 1992 Urban County bills #6492 thru #6493 totaling \$861.00; the 1993 Urban County bills #6494 thru #6504 totaling \$20,288.23; the Colonia IA Program bill #6506 in the amount of \$19,149.52; the Colonia II Program bills #6507 thru #6508 totaling \$3,083.40; the 1992 HOME Program bills #6509 thru #6512 totaling \$15,910.00; and the 1993 HOME Program bills #6513 thru #6517 totaling \$20,648.60. The total Urban County memorandum to be approved is in the amount of \$79,940.75.

MOTION CARRIED.  
SEE "EXHIBIT V"

ITEM 19. RESOLUTION DECLARING PROPERTY SURPLUS & APPOINTING SPECIAL COMMISSIONER  
REPORT OF SALE & ORDER CONFIRMING SALE & AUTHORIZATION TO EXECUTE SPECIAL COMMISSIONER'S DEED

Vona Walker informed the Court that this was for two properties that had previously been declared surplus, but that the personal effects had not been taken out, at that time. One of the properties was located at 113 East Marigold and the other was located in a subdivision on Bentzen and the 6 Mile Line. A motion was made by Commissioner Arcaute and seconded by Commissioner Camarillo, to approve a resolution declaring property surplus and appointing Vona Walker as Special Commissioner and setting sale as September 13, 1994, for the two tracts of land.

MOTION CARRIED.  
SEE "EXHIBIT W"

Ms. Walker also stated that this other item was for a sale that had been held on August 9th, for a piece of property on 25th Street, in McAllen. The successful bidder was Robert Rendon, with a bid price of \$31,500.00, and he was the present lienholder on this piece of property. At the advice of Rand Boothe and Travis Heister and because of the time set for the disposal of this property, the County will in essence only receive about \$870.00 plus \$500.00 for the advertisement. The County also got the Release of Lien, which was in the amount of \$30,624.00 and the balance was tendered in a cashier's check. A motion was made by Commissioner Camarillo and seconded by Commissioner Rosel and Arcaute, to approve the report of sale, the order confirming sale and authorize the execution of the Special Commissioner's Deed.

MOTION CARRIED.  
SEE "EXHIBIT W"

ITEM 20. OFFICE OF EMPLOYMENT & TRAINING:

- A. County of Hidalgo Office of Employment & Training Annual Performance Report
- B. Consider & approve realignment & modification of the existing structure for the County of Hidalgo Office of Employment & Training

20/A

Hollis Rutledge, OET Executive Director, came before the Court to inform them of the annual performance report. He stated that at the end of the program year, which ended June 30th, they were able to meet not only the expenditure rates, but also the expectations of the Texas Department of Commerce (TDOC), in meeting five of the six performance standards. He then went on to give a recap of the expenditure rates, as of November 30th, 1993, for each program. For Title II-A the expenditure rate was 85%, for Title II-C the expenditure rate was 98%; under the EDWA Title III Program the expenditure rate was 100% and this was in effect exceeded. He continued with performances, by saying that, during the period of July through November 1993, they were failing in the adult performance criteria, by not meeting any of the four criteria standards. During this same time, in the Youth Program, they were only meeting one of the two performance standards, which meant that overall, in November, they were only meeting one of the six performance standards. As of this report, this Department is meeting five of the six performance standards, by meeting all of the adult performance criteria, but they were still only meeting one of the youth performance standards, which was the employability enhancement rate. Mr. Rutledge is, however, optimistic that at this end of the current program year they will be meeting all performance standards. He then went on to thank the Texas Department of Commerce, particularly Joseph Mendiola, Joan Codle, Mary Blake, Jim Gaston, Dale Robertson and Teresa Alvarez, in assisting them in successfully completing "a very tough and rough year", during the transition period from the old agency and administra-

tion to the new agency and administration. Mr. Rutledge also noted that due to the meeting of five of the six performance standards, they were able to acquire some incentive monies totaling \$49,338.00, from the State. He continued by introducing some of the members of the OET staff, mainly Dolores Guzman, Olga Serna, Blanca Chapa, Lonnie Newman, Joe Barron, Mariana Romero, Bocho Garcia and Mr. House. The County Judge then praised Mr. Rutledge and his staff for a job well done, to which Mr. Rutledge responded that this did not mean that all was well, as they still had a few kinks, to iron out, but they were more focused in being able to deliver the services that they were supposed to deliver. A motion was finally made by Commissioner Arcaute and seconded by Commissioner Camarillo, to approve the annual report, from the Office of Employment and Training, for Hidalgo County, meeting and exceeding five of the six performance standards, that are set by the State of Texas, through the Department of Commerce, and complying with all and receiving incentive awards above that.

MOTION CARRIED.  
SEE "EXHIBIT X"

20/B

Mr. Rutledge explained that this was a request to expand the EDWAA Title III Program, which was the only program that had been funded by 50% over the previous program year. He added that as a result in the increase in funding, the State was also now imposing three performance standards, as opposed to one, the previous year. As a result of this, the State has indicated that they need staff that could be able to focus on the expenditure rate performance, on a quarterly basis, in addition to the performance standards. He then gave a few examples of the need for this dislocated worker program, within the Hidalgo County area. Judge Ruiz then have a brief recap of this issue by saying that since they had not only received additional monies, but have been subjected to additional performance standards, he felt that the request was in order. This would in effect require a change in the current structure of the organizational chart, which called for 129 employees, by adding eight more positions. These positions would comprise of one EDWAA Supervisor, one Basic Readjustment Instructor, one EDWAA Assessment Specialist, two EDWAA Case Managers, one EDWAA Program Compliance Monitor, one EDWAA Receptionist and one EDWAA Intake Specialist; the salaries which are listed on the exhibit. A motion was made by Commissioner Sanchez and seconded by Commissioner Rosel, to approve the request, as presented.

MOTION CARRIED.  
SEE "EXHIBIT X"

During a questions and comments session, Commissioner Rosel commented on the Sheriff's Department, and the use of his analogies.

There being no further business to come before the Court, a motion was made by Commissioner Rosel and seconded by Commissioner Arcaute, 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. LINE ITEM TRANSFER

A motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to approve a line item transfer totaling \$24,999.96, from Machinery, Diesel Fuel and Acquisition of Land to Small Tools, Equipment Repairs and Flood Control.

MOTION CARRIED.  
SEE "EXHIBIT Y"

ITEM 2. REQUEST EXEMPTION FROM BIDDING IN ACCORDANCE WITH SEC. 262.024 (9)(C), TEXAS LOCAL GOVERNMENT CODE

Vona Walker explained that this was to allow them to purchase various items, from the GSA, which was an arm of the Federal Government, without having to get quotes and bids. She added that the reason for this was that if the items were not purchased when available, chances were that once they were taken it was impossible to acquire them through this agency. Ms. Walker indicated that she had made several calls and even consulted legal counsel, but the only deterrent, in this case was the County Auditor, who interpreted the law differently. A motion was made by Commissioner Sanchez and seconded by Commissioner Arcaute, to authorize an exemption from the bidding procedure, to buy from the Federal Government, through GSA, for a period of one year.

MOTION CARRIED.

ITEM 3. AWARD BID FOR TIRES

Mary Maldonado, Purchasing Agent, informed the Court that she had received four bids for the purchase of tires, for the Drainage District. The four bidders were Vista Oil Company, from McAllen, Bonanza Tire Sales, Inc., out of McAllen, GCR Truck Tire Centers, Inc., out of Pharr, and Goodyear Service Stores, out of Pharr. She was at this time recommending that different sizes of tire and tubes be awarded, as follows:

Vista Oil Company	23 tires	8 tubes
Bonanza Tire Sales, Inc.	12 tires	53 tubes
GCR Truck Tire Centers, Inc.	6 tires	3 tubes
Goodyear Service Stores	25 tires	No Bid

After a brief discussion regarding the way that the this type of bid was awarded, a motion was made by Commissioner Arcaute and seconded by Commissioner Sanchez, to award the bid to the four bidders, as presented.

MOTION CARRIED.  
SEE "EXHIBIT Z"

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

MOTION CARRIED.

THERE BEING NO FURTHER BUSINESS TO COME

BEFORE SAID COURT, the meetings of the Commissioners' Court and the Drainage District were hereby 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 16TH day of AUGUST, 1994.

ATTEST:

WILLIAM R. LEO, County Clerk  
Hidalgo County, Texas

By: Jennifer Castillo, Deputy

